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THE

LAW REPORTS.

The Public General Statutes

PASSED IN THE FIFTH AND SIXTH YEARS

OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH.

1914—16.

VOL. LIII.

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TABLE I.

A

TABLE

OF

The TITLES of the PUBLIC GENERAL ACTS passed in the FIFTH Session of the THIRTIETH Parliament of the United Kingdom of GREAT BRITAIN and IRELAND.

5 & 6 GEORGE 5.—A.D. 1914–16.

1. An Act to make such provisions as are necessary to enable the Anglo-Portuguese Commercial Treaty to come into force. (*Anglo-Portuguese Commercial Treaty.*)

2. An Act to amend section one of the Exportation of Arms Act, 1900. (*Customs* (*Exportation Restriction*).)

3. An Act to prevent the Acceptance of a Commission in His Majesty's Forces vacating the Seat of a Member of Parliament, or rendering a person holding such a Commission incapable of being elected to, or sitting or voting in, the Commons House of Parliament. (*House of Commons* (*Commissions in His Majesty's Forces*).)

4. An Act to make better provision for the execution and maintenance of Land Drainage Works. (*Land Drainage.*)

5. An Act to amend section sixteen of the Sheriff Courts (Scotland) Act, 1907, relating to leave of absence to salaried Sheriffs-substitute. (*Sheriff Courts* (*Scotland*) *Amendment.*)

6. An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and fifteen. (*Consolidated Fund* (*No.* 1) (*Session* 2).)

7. An Act to grant certain additional duties of Customs and Inland Revenue, including Excise, to alter other duties, and to amend the Law relating to Customs and Inland Revenue, including Excise, and the National Debt, and to make further provision in connection with Finance. (*Finance (Session 2).*)

8. An Act to consolidate and amend the Defence of the Realm Acts. (*Defence of the Realm Consolidation.*)

9. An Act to postpone the commencement of the Criminal Justice Administration Act, 1914. (*Criminal Justice Administration (Postponement).*)

10. An Act to extend, in respect of the present War, the relief from disqualification for office granted by the Members of Local Authorities Relief Act, 1900. (*Local Authorities (Disqualification Relief).*)

11. An Act to make provision with respect to obligations incurred by or on behalf of His Majesty's Government for the purposes of the present war or in connection therewith and for other purposes in relation thereto. (*Government War Obligations.*)

12. An Act to amend the Trading with the Enemy Act, 1914, and for purposes connected therewith. (*Trading with the Enemy Amendment.*)

13. An Act to facilitate the execution of Trusts during the present War. (*Execution of Trusts (War Facilities).*)

14. An Act to authorise the modification or repeal of section nine of the Poor Relief (Ireland) Act, 1847, as respects certain Poor Law Unions in Ireland. (*Poor Relief (Ireland).*)

15. An Act to amend section forty-six of the National Health Insurance Act, 1911, as respects the present War. (*National Insurance (Navy and Army) (Session 2).*)

16. An Act to extend the term of service of the Royal Marine Force during the present War. (*Royal Marines.*)

17. An Act to enable the Admiralty to dispense with compliance with the requirements of the Navy and Marines (Wills) Acts, 1865 and 1897, in the case of Seamen and Marines dying during or in consequence of the present War. (*Navy and Marines (Wills).*)

18. An Act to provide for the grant of Pensions and other Allowances to certain persons if disabled whilst employed abroad in connection with warlike operations, and to their dependants, and to amend the Injuries in War (Compensation) Act, 1914. (*Injuries in War Compensation (Session 2).*)

19. An Act to amend the Courts (Emergency Powers) Act, 1914, in its application to Ireland. (*Courts (Emergency Powers) (Ireland).*)

20. An Act to enable apprentices to Law Agents in Scotland to reckon service in connection with the present war as service under an indenture of apprenticeship for the purposes of the Law Agents (Scotland) Act, 1873. (*Law Agents Apprenticeship (War Service) (Scotland).*)

21. An Act to restrict the transfer of British Ships to Persons not qualified to own British Ships. (*British Ships (Transfer Restriction).*)

22. An Act to amend the Universities and College Estates Acts, and to extend the powers of the Universities of Oxford and Cambridge and the Colleges therein to make statutes, for purposes connected with the present War. (*Universities and Colleges (Emergency Powers).*)

23. An Act to authorise the suspension of sentences of penal servitude and imprisonment passed on soldiers engaged in active service beyond the seas during the present war. (*Army (Suspension of Sentences).*)

24. An Act to provide for the grant of pensions and other allowances to certain persons in respect of disablement due to causes arising out of the operations of the present war, whilst they are employed afloat in connexion with the telegraph and postal services, and to their dependants, and for purposes connected therewith. (*Injuries in War (Compensation).*)

25. An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army. (*Army (Annual).*)

26. An Act to amend the Army Act. (*Army (Amendment).*)

27. An Act to enable contributions to be made for the purpose of Part II. of the National Insurace Act, 1911, by workmen employed abroad in insured trades on work connected with or arising out of the present War. (*National Insurance (Part II. Amendment).*)

28. An Act to make further and better provision with regard to the Naval Medical Compassionate Fund. (*Naval Medical Compassionate Fund.*)

29. An Act to amend Part I. of the National Insurance Act, 1911. (*National Insurance (Part I. Amendment).*)

30. An Act to amend the Naval Discipline Act. (*Naval Discipline.*)

31. An Act to amend the enactments relating to Customs during the present War. (*Customs (War Powers).*)

32. An Act to authorise the grant of certain pensions and other allowances in respect of Members of the Royal Irish Constabulary and Dublin Metropolitan Police who are Reservists or join the Naval or Military Forces and for other purposes incidental thereto. (*Irish Police* (*Naval and Military Service*).)

33. An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, and one thousand nine hundred and sixteen. (*Consolidated Fund* (*No.* 2).)

34. An Act to amend the Defence of the Realm Consolidation Act, 1914. (*Defence of the Realm* (*Amendment*).)

35. An Act to provide further facilities for the marriage of officers, seamen, and marines borne on the books of any of His Majesty's ships during the continuance of the present war. (*Naval Marriages.*)

36. An Act to facilitate Legal Proceedings against Enemies in certain cases. (*Legal Proceedings against Enemies.*)

37. An Act to amend the Defence of the Realm Consolidation Act, 1914. (*Defence of the Realm* (*Amendment*), *No.* 2.)

38. An Act to amend the Copyright Act, 1911, with respect to the delivery of books to the British Museum. (*Copyright* (*British Museum*).)

39. An Act to enable the Fugitive Offenders Act, 1881, to be extended to Protected States. (*Fugitive Offenders* (*Protected States*).)

40. An Act to facilitate Marriages between British Subjects resident in the United Kingdom and British Subjects resident in other parts of His Majesty's Dominions or in British Protectorates. (*Marriage of British Subjects* (*Facilities*).)

41. An Act to amend the enactments relating to the Police during the present War. (*Police* (*Emergency Provisions*).)

42. An Act to extend the Defence of the Realm Consolidation Act, 1914. (*Defence of the Realm* (*Amendment*) (*No.* 3).)

43. An Act to amend section eighty-three of the Army Act with respect to transfers during the present War. (*Army* (*Transfers*).)

44. An Act to enable certain Statutory Companies to create and issue Preference Shares or Stock, and Debentures or Debenture Stock, so as in each case to be redeemable. (*Statutory Companies* (*Redeemable Stock*).)

45. An Act to amend the British North America Act, 1867. (*British North America.*)

46. An Act to restrict the Supply and Sale of Immature Spirits. (*Immature Spirits* (*Restriction*).)

47. An Act to amend the Law relating to the appointment of Special Constables in Scotland. (*Special Constables* (*Scotland*).)

48. An Act to make provision for facilitating the improvement, management, and maintenance of small harbours principally used by the fishing industry. (*Fishery Harbours.*)

49. An Act to facilitate the early provision of dwellings, &c. for, or for the convenience of, persons employed by or on behalf of the Admiralty at Rosyth Dockyard. (*Housing* (*Rosyth Dockyard*).)

50. An Act to make temporary provision for rendering unnecessary the Re-election of Members of the House of Commons on Acceptance of Office. (*Re-election of Ministers.*)

51. An Act for establishing, in connection with the present War, a Ministry of Munitions of War, and for purposes incidental thereto. (*Ministry of Munitions.*)

52. An Act to amend the Law relating to the Exportation of Articles during the present War. (*Customs* (*Exportation Restriction*).)

53. An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and sixteen. (*Consolidated Fund* (*No.* 3).)

54. An Act to make provision for furthering the efficient manufacture, transport, and supply of Munitions for the present War, and for purposes incidental thereto. (*Munitions of War.*)

55. An Act to make further provision for raising Money for the present War, and for purposes incidental thereto. (*War Loan.*)

56. An Act to enable Trustees to borrow money for the purpose of exercising any Option to convert Securities given under the War Loan Act, 1915, to Holders of that Loan, and to indemnify Trustees for any Loss in

respect of any such borrowing, or any transaction in relation to the Loan, and to authorise the investment of moneys subject to any trust in any Securities created under that Act. (*War Loan (Trustees).*)

57. An Act to amend the Enactments relating to Prize Courts. (*Prize Courts.*)

58. An Act to amend the Army Act. (*Army (Amendment) No. 2.*)

59. An Act to postpone the operation of the Milk and Dairies Act, 1914, and the Milk and Dairies (Scotland) Act, 1914. (*Milk and Dairies Acts Postponement.*)

60. An Act for the compilation of a National Register. (*National Registration.*)

61. An Act to consolidate Enactments relating to the government of India. (*Government of India.*)

62. An Act to grant certain duties of Customs and Inland Revenue, including Excise, to alter other duties, and to amend the Law relating to Customs and Inland Revenue, including Excise, and the National Debt, and to make further provision in connection with Finance. (*Finance.*)

63. An Act to continue various Expiring Laws. (*Expiring Laws Continuance.*)

64. An Act to extend the Notification of Births Act, 1907, to Areas in which it has not been adopted, and to make further provision in connection therewith for the Care of Mothers and Young Children. (*Notification of Births (Extension).*)

65. An Act to make provision for securing the Maintenance of a sufficient Stock of Cattle, Sheep, and Swine, and for purposes connected therewith. (*Maintenance of Live Stock.*)

66. An Act to consolidate certain Enactments relating to Milk and Dairies. (*Milk and Dairies (Consolidation).*)

67. An Act to amend the Law with respect to Customs in the Isle of Man. (*Isle of Man (Customs).*)

68. An Act to grant Money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans. (*Public Works Loans.*)

69. An Act to confirm Action taken by any Cotton Association for dealing with Emergencies due to the present War. (*Cotton Associations (Emergency Action).*)

70. An Act to amend and extend the provisions of the Execution of Trusts (War Facilities) Act, 1914. (*Execution of Trusts (War Facilities) Amendment.*)

71. An Act to extend the Customs (War Powers) Act, 1915. (*Customs (War Powers) (No. 2).*)

72. An Act to give temporary power to Government Departments to extend the time limited for the performance of duties or the exercise of powers under special Acts. (*Special Acts (Extension of Time).*)

73. An Act to amend the Naval Discipline Act. (*Naval Discipline (No. 2).*)

74. An Act to amend the Law with respect to the Superannuation Allowances payable to the Metropolitan Police Magistrates, the Dublin Divisional Justices and the Stipendiary Magistrate for Chatham and Sheerness. (*Police Magistrates (Superannuation).*)

75. An Act to provide for the limitation of the Price of Coal. (*Price of Coal (Limitation).*)

76. An Act to postpone Elections of local authorities and other bodies and the preparation of the Parliamentary and Local Government Registers, and for purposes incidental thereto. (*Elections and Registration.*)

77. An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and sixteen, and to appropriate the Supplies granted in this Session of Parliament. (*Appropriation.*)

78. An Act to extend the powers of the Scottish Universities to make Ordinances for purposes connected with the present War. (*Scottish Universities (Emergency Powers).*)

79. An Act to amend the Trading with the Enemy Acts, 1914. (*Trading with the Enemy Amendment.*)

80. An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and sixteen. (*Consolidated Fund (No. 4).*)

81. An Act to enable a Loan to be raised in conjunction with the French Government in the United States of America. (*American Loan.*)

82. An Act to alter certain statutory limits of Postal and Telegraph Rates; and for purposes connected therewith. (*Post Office and Telegraph.*)

83. An Act to make better provision as to the pensions, grants, and allowances made in respect of the present war to officers and men in the Naval and Military Service of His Majesty and their dependants, and the care of officers and men disabled in consequence of the present war, and for purposes connected therewith. (*Naval and Military War Pensions, &c.*)

84. An Act to amend the Law with respect to Clubs during the continuance of the present war. (*Clubs (Temporary Provisions).*)

85. An Act to suspend the operation of section twenty-seven of the Patents and Designs Act, 1907, during the continuance of the present war, and for a period of six months thereafter. (*Patents and Designs Act Partial Suspension.*)

86. An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and sixteen, and to appropriate the Supplies granted in this Session of Parliament. (*Appropriation (No. 2).*)

87. An Act to enable Persons during the continuance of the War, and for a period of two years thereafter, to be appointed or admitted to the Indian Civil Service without examination. (*Indian Civil Service (Temporary Provisions).*)

88. An Act to provide for the Regulation of Street Collections in Burghs in Scotland. (*Street Collections Regulation (Scotland).*)

89. An Act to grant certain Duties of Customs and Inland Revenue (including Excise), to alter other Duties, and to amend the Law relating to Customs and Inland Revenue (including Excise) and the National Debt, and to make further provision in connexion with Finance. (*Finance (No. 2).*)

90. An Act to amend the Law relating to Indictments in Criminal Cases, and matters incidental or similar thereto. (*Indictments.*)

91. An Act to secure the better training of Midwives in Scotland, and to regulate their practice. (*Midwives (Scotland).*)

92. An Act to enable the Judicial Committee of the Privy Council to sit in more than one Division at the same time. (*Judicial Committee.*)

93. An Act to make provision in connexion with Loans raised for the purposes of the present War, for the establishment of a Post Office stock register, and as to stock inscribed in that register, and to make certain amendments in connexion with such Loans and generally in connexion with War Finance, in the Law relating to Savings Banks, Friendly Societies, Trade Unions, and otherwise. (*War Loan (Supplemental Provisions).*)

94. An Act to amend the Law of Evidence. (*Evidence (Amendment).*)

95. An Act to suspend in connexion with the present War the Grants payable under paragraph (2) of section nineteen of the Elementary Education Act, 1876, and the Education Code (1890) Act, 1890, and to provide for the payment of other Grants in lieu thereof. (*Education (Small Population Grants).*)

96. An Act to make provision with respect to Obligations incurred by or on behalf of His Majesty's Government for the purposes of the present War or in connexion therewith. (*Government War Obligations.*)

97. An Act to restrict, in connexion with the present War, the Increase of the Rent of Small Dwelling-houses and the Increase of the Rate of Interest on and the Calling in of Securities on such Dwelling-houses. (*Increase of Rent and Mortgage Interest (War Restrictions).*)

98. An Act to provide for the Extension of the Restrictions relating to Trading with the Enemy to Persons to whom, though not resident or carrying on Business in Enemy Territory, it is by reason of their Enemy Nationality or Enemy Associations expedient to extend such Restrictions. (*Trading with the Enemy (Extension of Powers).*)

99. An Act to amend the Munitions of War Act, 1915. (*Munitions of War (Amendment).*)

100. An Act to amend the Parliament Act, 1911, in connexion with the present Parliament, and to suspend further the machinery for the Registration of Electors. (*Parliament and Registration.*)

101. An Act to provide for placing certain Officers and Men of His Majesty's naval forces under Military Law whilst serving on Shore. (*Naval Forces (Service on Shore).*)

102. An Act to amend the Customs (War Powers) Acts, 1915. (*Customs (War Powers).*)

103. An Act to amend the Army (Suspension of Sentences) Act, 1915. (*Army (Suspension of Sentences) Amendment.*)

104. An Act to make provision with respect to Military Service in connexion with the present War. (*Military Service.*)

105. An Act to amend the Trading with the Enemy Acts. (*Trading with the Enemy Amendment.*)

THE

PUBLIC GENERAL STATUTES.

[5 GEO. 5.]

CHAPTER 1.

An Act to make such provisions as are necessary to enable the Anglo-Portuguese Commercial Treaty to come into force. [27th November 1914.]

WHEREAS His Majesty the King and the President of the Portuguese Republic have concluded the treaty of commerce and navigation set out in the Schedule to this Act, and by the final protocol appended thereto, it is provided that the treaty shall not come into force until the sanction of Parliament to article six thereof has been obtained:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Meaning of "port" and "madeira" as applied to wine.

1. The description "port" or "madeira" applied to any wine or other liquor, other than wine the produce of Portugal and the island of Madeira respectively, shall be deemed to be a false trade description within the meaning of the Merchandise Marks Act, 1887, and that Act shall have effect accordingly: 50 & 51 Vict. c. 28.

Provided that it shall be a good defence to any proceedings under that Act in respect of such a description as aforesaid if it is proved—

(*a*) that the wine or other liquor to which the description is applied is intended solely for exportation from the United Kingdom; or

(*b*) in the case of any wine or other liquor sold or exposed for or kept in possession for sale within twelve months after the passing of this Act, that the description applied thereto was lawfully so applied before the passing of this Act.

Short title.

2. This Act may be cited as the Anglo-Portuguese Commercial Treaty Act, 1914.

SCHEDULE.

Text of Treaty of Commerce and Navigation between Great Britain and Portugal.

Article 1.

There shall be between the territories of the two contracting Parties full and complete freedom of commerce and navigation.

The subjects or citizens of each of the two contracting Parties shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers in the territories of the other to which native subjects or citizens are or may be permitted to come. They shall not be subject in respect of their commerce or industry in the territories of the other, whether their residence there is of a permanent or temporary character, to any duties, taxes, imposts, or licences of any kind whatever other or higher than those which are or may be imposed upon native subjects or citizens, and they shall enjoy the same rights, privileges, liberties, immunities, and other favours in matters of commerce and industry as are or may be enjoyed by native subjects or citizens.

Article 2.

The subjects or citizens of each of the contracting Parties shall be exempted, in the territory of the other Party, from all personal service in the army, navy, and national militia; from all war charges, forced loans, military requisitions and contributions of whatever nature. Their properties shall not be seized, sequestrated, nor their ships, cargoes, goods, or effects retained for any public use, unless they have been previously allowed compensation, to be agreed upon between the interested parties on just and equitable bases. The charges connected with the possession by any title of landed property are excepted, as well as the obligation of military billeting and other special requisitions or exactions for the military forces to which all nationals or subjects or citizens of the most favoured nation may be liable as owners, tenants, or occupiers of real property.

Article 3.

The contracting Parties agree that in all matters relating to commerce, navigation, and industry any privilege, favour, or immunity which either contracting Party has actually granted or may hereafter grant to the subjects or citizens or ships of any other foreign State shall be extended immediately and unconditionally to the subjects or citizens or ships of the other, it being their intention that the commerce, navigation, and industry of each country shall be placed in all respects on the footing of the most favoured nation.

Article 4.

The subjects or citizens of each of the contracting Parties in the territories of the other shall be at full liberty to acquire and possess every description of property, movable and immovable, which the laws of the country permit, or shall permit, the subjects or citizens of the State to acquire and possess. They may dispose of the same by sale, exchange, gift, marriage, testament, or in any other manner, or acquire the same by inheritance under the same conditions which are or shall be established with regard to subjects or citizens of the State. They shall not be

subjected in any of the cases mentioned to any taxes, imposts, or charges of whatever denomination, other or higher than those which are or shall be applicable to subjects or citizens of the State.

The subjects or citizens of each of the contracting Parties shall also be permitted, on compliance with the laws of the country, freely to export the proceeds of the sale of their property and their goods in general without being subjected as foreigners to other or higher duties than those to which subjects or citizens of the country would be liable under similar circumstances.

ARTICLE 5.

Articles the produce and manufacture of one of the contracting Parties imported into the territories of the other, from whatever place arriving, shall not be subject to other or higher duties or charges than those which are or may be levied on the like articles the produce or manufacture of any other foreign country. In like manner, articles the produce or manufacture of one of the contracting Parties exported to the territories of the other shall not be subjected to other or higher duties or charges than those which are or may be levied on the like articles exported to any other foreign country. The contracting Parties also reciprocally undertake that no more favourable treatment shall be extended to the goods of any other foreign country in respect of importation, import duties, exportation, export duties, re-exportation, re-export duties, customs facilities, warehousing, transhipment, drawbacks, and commerce and navigation in general.

ARTICLE 6.

His Britannic Majesty's Government engage to recommend to Parliament to prohibit the importation into and sale for consumption in the United Kingdom of any wine or other liquor to which the description "Port" or "Madeira" is applied, other than wine the produce of Portugal and of the island of Madeira respectively.

ARTICLE 7.

No prohibition or restriction shall be maintained or imposed on the importation of any article the produce or manufacture of either of the contracting Parties into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other foreign country. The only exceptions to this general rule shall be in the case of the sanitary or other prohibitions occasioned by the necessity of securing the safety of persons or of cattle or of plants useful for agriculture, and of the measures applicable in either of the two countries to articles enjoying a direct or indirect bounty in the other.

Nor shall any prohibition or restriction be maintained or imposed on the exportation of any article from the territories of either of the two contracting Parties to the territories of the other which shall not equally extend to the exportation of the like articles to any other foreign country.

ARTICLE 8.

Merchandise of all kinds the produce or manufacture of one of the contracting Parties passing in transit through the territories of the other shall be reciprocally free from all transit duties, whether they pass direct

or whether during transit they are unloaded, warehoused, and reloaded, and no prohibition or restriction shall be maintained or imposed on the transit of such merchandise which shall not equally extend to the transit of the like articles the produce or manufacture of any other foreign country.

Article 9.

Goods of all kinds, the produce or manufacture of one of the contracting Parties, imported into the territories of the other, shall not be subject to excise, octroi, or consumption dues, levied on account of the State or of the municipalities, higher than those payable on similar articles of native origin.

Article 10.

The stipulations of the present treaty with regard to the mutual accord of the treatment of the most favoured nation apply unconditionally to the treatment of commercial travellers and their samples. The Chambers of Commerce, as well as other trade associations and other recognised commercial associations in the contracting States as may be authorised in this behalf shall be mutually accepted as competent authorities for issuing any certificates that may be required for commercial travellers.

Articles imported by commercial travellers as samples shall, in each country, be temporarily admitted free of duty on compliance with the customs regulations and formalities established to assure their re-exportation or the payment of the prescribed customs duties if not re-exported within the period allowed by law. But the foregoing privilege shall not extend to articles which, owing to their quantity or value, cannot be considered as samples, or which, owing to their nature, could not be identified upon re-exportation.

In order to facilitate the clearance of samples of goods brought by commercial travellers of one of the two States into the territories of the other to be used as samples or patterns for the purpose of obtaining orders and not for sale, the marks, stamps, or seals affixed by the Customs authorities of one country to commercial samples at the time of exportation, and the list of such samples drawn up in proper form and certified by the competent authority, such list containing an exact description of the samples, shall form sufficient evidence, so far as the respective customs authorities are concerned, of their nature, and shall entitle them to exemption from all customs examination except in so far as may be necessary to establish that the samples produced are identical with those enumerated in the list. The customs authorities of either country are, however, at liberty to affix a supplementary mark to such samples, should this precaution in particular cases be considered necessary.

Article 11.

Each of the contracting Parties shall permit the importation or exportation on the vessels of the other of all merchandise which may be legally imported or exported, and also the carriage of passengers from or to their respective territories on the vessels of the other ; and such vessels and their cargoes and passengers shall enjoy the same privileges, and shall not be subjected to any other or higher duties or charges than the vessels, cargoes, and passengers of the most favoured nation.

ARTICLE 12.

Notwithstanding anything in this treaty either of the contracting Parties reserves the right to confine to national vessels the trade between any ports within its territories. In the event of this right being exercised by either country, nothing in this treaty shall be construed as entitling the vessels of that country to participate in the corresponding trade between ports of the other country.

British and Portuguese vessels may nevertheless proceed from one port to another, either for the purpose of landing the whole or part of their passengers or cargoes brought from abroad, or of taking on board the whole or part of their passengers or cargoes for a foreign destination.

It is also understood that no vessel shall be considered as engaging in trade between two ports of one of the contracting States merely because it carries between those ports passengers holding through tickets or merchandise consigned on through bill of lading to or from some place outside the territories of that State.

ARTICLE 13.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other analogous duties of whatever nature, or under whatever denomination, levied in the name or for the profit of the Government, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the territories of either of the contracting Parties upon the vessels of the other or on their cargoes in lieu of on the vessels which shall not equally and under the same conditions be imposed in the like cases on vessels of the most favoured nation in general. Such equality of treatment shall apply to the respective vessels, from whatever port or place they may arrive, and whatever may be their destination.

ARTICLE 14.

In all that regards the stationing, loading, and unloading of vessels in ports, docks, roadsteads, and harbours every privilege granted by either of the contracting Parties to the vessels of any third country shall be extended immediately and unconditionally to the vessels of the other contracting Party.

ARTICLE 15.

Any vessel of either of the contracting Parties which may be compelled by stress of weather or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his merchandise in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any vessel of one of the contracting Parties should run aground or be wrecked upon the coasts of the other, such vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including any which may have been cast into the sea, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked vessel shall be given up to the owners or their agents when claimed by them. If there are no such

owners or agents on the spot, then the same shall be delivered to the British or Portuguese consular officer in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country, and such consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The contracting Parties agree, moreover, that merchandise saved shall not be subjected to the payment of any Customs duty unless cleared for internal consumption.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective consular officers shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorised to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE 16.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to Portuguese law, are to be deemed Portuguese vessels, shall, for the purposes of this treaty, be deemed British or Portuguese vessels respectively.

ARTICLE 17.

Limited liability and other companies and associations, commercial, industrial, and financial, already or hereafter to be organised in accordance with the laws of either contracting Party and registered in the territories of such Party, are authorised in the territories of the other to exercise their rights and appear in the Courts either as plaintiffs or defendants, subject to the laws of such other Party.

ARTICLE 18.

It shall be free to each of the high contracting Parties to appoint consuls-general, consuls, vice-consuls, and consular agents to reside in the towns and ports of the territories of the other. Such consuls-general, consuls, vice-consuls, and consular agents, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent.

ARTICLE 19.

The consuls and consular agents of each of the contracting Parties, residing in the territories of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

Provided that this stipulation shall not apply to subjects or citizens of the State in whose territory the desertion takes place.

ARTICLE 20.

The subjects or citizens of each of the high contracting Parties shall have, in the territories of the other, the same rights as subjects or citizens of that State in regard to patents for inventions, trade-marks, and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE 21.

The present treaty shall extend, as regards Portugal, to the mother country and adjacent islands (Madeira, Porto Santo, and Azores), but shall not extend to any of the dominions, colonies, possessions, or protectorates of either contracting Party unless notice of the desire of such contracting Party that the treaty shall apply to any such dominion, colony, possession, or protectorate shall have been given to the other contracting Party before the expiration of one year from the date of the exchange of the ratifications of the present treaty.

Nevertheless, the goods produced or manufactured in any of His Britannic Majesty's dominions, colonies, possessions, and protectorates shall enjoy in Portugal complete and unconditional most-favoured-nation treatment so long as such dominion, colony, possession, or protectorate shall accord to goods the produce or manufacture of Portugal treatment as favourable as it gives to the produce or manufacture of any other foreign country; and reciprocally the goods produced or manufactured in any Portuguese colony or possession shall enjoy like most-favoured-nation treatment in the United Kingdom of Great Britain and Ireland so long as such colony or possession shall accord to goods the produce or manufacture of the United Kingdom treatment as favourable as it gives to the produce or manufacture of any other foreign country.

Colonial goods re-exported from the mother country of one of the contracting Parties shall be treated in the territory of the other as proceeding from that mother country, and shall therefore be exempt from supertaxes on indirect trade which may eventually be established.

ARTICLE 22.

Any controversy which may arise between the contracting Parties regarding the interpretation or application of the present treaty, as well as the rates of the conventional tariffs agreed upon between the contracting Parties and third States, shall, on the demand of one or other of the contracting Parties, be adjusted by means of arbitration.

A court of arbitration shall in each case be constituted in the following manner:—

1. Each of the contracting Parties shall name an arbitrator from among the competent subjects or citizens of the country.
2. The two contracting Parties shall then choose a subject of a third country to act as umpire.
3. In the event of no agreement being reached as to the umpire, each of the contracting Parties shall name a candidate of different nationality from those of the persons proposed under the preceding paragraph. The selection of one of the two candidates so nominated for the office of umpire shall be decided by lot, unless the two contracting Parties shall come to an agreement on the subject. The umpire shall preside at the Court of Arbitration, which shall decide by a majority of votes. On the first occasion of arbitration the Court shall sit in the territory of the country decided by lot; in the second case it shall sit in the territory of the other country; and subsequently alternately in the territory of the two contracting Parties in a place selected by the Government of the country where the Court is to meet. The necessary officers and staff shall be provided for the Court by the Government of the country in which

it meets. Each of the contracting Parties shall be represented before the Court by one or more agents, who may be assisted by lawyers.

The proceedings shall be solely in writing, but nevertheless the Court shall be entitled to require verbal explanations from the agents of the two parties and to hear experts and witnesses if they shall deem such a course advisable. The costs of the arbitration shall be divided equally between the two contracting Parties.

ARTICLE 23.

The present treaty shall be ratified and the ratifications shall be exchanged at Lisbon as soon as possible. It shall come into force fifteen days after the exchange of ratifications, and shall remain binding for a period of ten years. In case neither of the contracting Parties shall have given notice to the other twelve months before the date of expiration of this period of their intention to terminate it, it shall remain in force until the expiration of one year from the day on which either of the contracting Parties shall have denounced it.

As regards, however, the dominions, colonies, possessions, and protectorates which may have adhered to the present treaty in virtue of Article 21, either of the contracting Parties shall have the right to terminate it separately at any time on giving twelve months' notice to that effect.

It is understood that the stipulations of the present and of the preceding article referring to British dominions, colonies, possessions, or protectorates apply also to the island of Cyprus.

Final Protocol.

On proceeding to sign the Treaty of Commerce and Navigation concluded this day between the United Kingdom and Portugal, the undersigned plenipotentiaries have made the following reservations and declarations which shall form an integral part of the treaty :—

Ad ARTICLE 17.

It is understood that the provisions of Article 17 do not affect the right of either contracting Party to require, by their internal legislation, the prior consent of the competent local authorities before foreign companies or associations can institute local branches or agencies for the carrying out of banking or assurance operations.

It is understood that the provisions of this treaty, which secure in Portugal most-favoured-nation treatment to British goods and vessels shall not apply to the special favours which Portugal accords, or may hereafter accord, to the goods or vessels of Spain or Brazil.

It is understood that this treaty shall not come into force until the sanction of the British Parliament for Article 6 has been obtained.

The present protocol, which shall be considered as approved and sanctioned by the contracting Parties, without any other special ratification, by the sole fact of the exchange of the ratifications of the Treaty to which it appertains, has been drawn up in duplicate at Lisbon, the 12th August, 1914.

Declaration.

The plenipotentiary of His Britannic Majesty on signing the treaty declares that the concession by His Majesty's Government in Article 6 is made only in return for improvement in the Customs treatment of British goods by the Portuguese Government, and without prejudice to the views of the two contracting Parties as to the proper interpretation to be placed on Article 4 of the Madrid Convention of the 14th April, 1891.

CHAPTER 2.

An Act to amend section one of the Exportation of Arms Act, 1900. [27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of 63 & 64 Vict. c. 44.

1. Section one of the Exportation of Arms Act, 1900 (which enables the exportation of certain articles to any country or place named in the proclamation to be prohibited), shall have effect whilst a state of war in which His Majesty is engaged exists as if, in addition to the articles therein mentioned, there were included all other articles of every description.

Power to vary a proclamation.

2. Any proclamation made under the said section may, whether the proclamation was made before or after the passing of this Act, be varied or added to whilst a state of war exists by an order made by the Lords of the Council on the recommendation of the Board of Trade.

Short title.

3. This Act may be cited as the Customs (Exportation Restriction) Act, 1914.

CHAPTER 3.

An Act to prevent the Acceptance of a Commission in His Majesty's Forces vacating the Seat of a Member of Parliament, or rendering a person holding such a Commission incapable of being elected to, or sitting or voting in, the Commons House of Parliament. [27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Acceptance of a commission in His Majesty's forces not to vacate the seat of a Member of Parliament.

1.—(1) The acceptance of a commission as an officer in His Majesty's forces shall not vacate and shall be deemed not to have vacated the seat of any member returned to serve in Parliament, and shall not render and shall be deemed not to have rendered a person accepting such a commission incapable of being elected to, or sitting or voting in, the Commons House of Parliament.

(2) The provisions of this Act shall be in addition to, and not in derogation of, any other enactment relating to any particular part of His Majesty's forces, and having a similar effect, and nothing in this Act shall be construed so as to extend any provisions of the Succession to the Crown Act, 1707, or of the House of Commons (Disqualifications) Act, 1801, or of the Act of the Irish Parliament 33 Geo. III., cap. 41, to cases to which they do not otherwise extend.

6 Anne c. 41.
41 Geo. 3. c. 52.

Short title.

2.—(1) This Act may be cited as the House of Commons (Commissions in His Majesty's Forces) Act, 1914.

(2) This Act shall not apply to any future Parliament or the Members thereof.

CHAPTER 4.

An Act to make better provision for the execution and maintenance of Land Drainage Works.

[27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to constitute bodies for the construction of land drainage works.

1.—(1) If the Board of Agriculture and Fisheries (hereinafter referred to as "the Board") are of opinion that the execution of any work of drainage, embankment, or defence against water is desirable for the improvement or protection of any area, and that provision for the execution of the work should be made under the powers conferred by this Act, they may by Provisional Order constitute a body (corporate or unincorporate) for the purpose and authorise the execution of the work by the body so constituted, and make such provision for the execution and maintenance of the work as the Board may think proper.

(2) A Provisional Order under this section may, amongst other things,—

(*a*) define the area for the improvement or protection of which the work is executed;

(*b*) define the powers and duties of the body constituted by the Order;

(*c*) provide for the manner in which any expenses incurred by the body constituted by the Order are to be raised by conferring on that body such powers as to rating and borrowing as are exerciseable by Commissions of Sewers, or by requiring contributions from other drainage authorities exercising jurisdiction within the area defined by the Order, and may for that purpose vary and extend any rating and borrowing powers of any drainage authority so required to contribute;

(*d*) enable the body constituted by the Order to acquire land by agreement; or to acquire land compulsorily, if so authorised by an Order of the Development Commissioners made in accordance with the provisions of the Schedule to the Development and Road Improvement Funds Act, 1909, and as if such provisions with the necessary adaptations were incorporated in this Act; 9 Edw. 7. c. 47.

and the Provisional Order may contain any incidental, consequential, or supplemental provisions which may appear necessary or proper for the purposes of the Order.

(3) The provisions set out in the Schedule to this Act shall have effect with respect to Provisional Orders made under this Act.

Expenses of the Board.

2. The expenses of the Board in relation to a Provisional Order shall, if and so far as the Order so directs, be paid to the Board by the body constituted by the Order, and be treated as part of the administrative expenses of that body, and subject as aforesaid shall be paid out of money provided by Parliament.

Consent of Board of Trade in certain cases.

3. A Provisional Order made under this Act shall not authorise the construction, erection, or carrying out of any works on, under, or over any part of the foreshore or land contiguous thereto, or any dredging operations thereon, or the deposit of materials thereon, without the concurrence of the Board of Trade.

Short title and duration.

4.—(1) This Act may be cited as the Land Drainage Act, 1914.

(2) The powers of making Provisional Orders under this Act shall not be exercised after the expiration of two years from the passing of this Act, except for the purpose of amending an existing Provisional Order made under this Act; but nothing in this subsection shall prejudice or affect any powers or provisions contained in any Provisional Order made before the expiration of that period.

Section 1.

SCHEDULE.

Provisions as to Provisional Orders.

(1) Before making a Provisional Order under this Act the Board shall cause notice of the intention to make the Order and of the place where copies of the draft Order may be inspected and obtained, and of the time within and manner in which objections to the draft Order may be made—

(*a*) to be sent to the council of every county, and to every commission of sewers, drainage board, or other drainage or navigation authority exercising jurisdiction within the area comprised in the draft Order;

(*b*) to be advertised for two successive weeks in some newspaper in general circulation within that area.

(2) Before making a Provisional Order the Board shall consider any objections which may be duly made to the draft, and may in any case and shall if so required by any such council or authority as aforesaid cause a local public inquiry to be held with respect to any objections made to the draft Order.

(3) The Board may submit to Parliament for confirmation any Provisional Order made by them in pursuance of this Act, but any such Order shall be of no force whatever unless and until it is confirmed by Parliament.

(4) If, while the Bill confirming any such Order is pending in either House of Parliament, a petition is presented against any Order comprised therein, the Bill, so far as it relates to such Order, may be referred to a Select Committee, and the petitioner shall be allowed to appear and oppose as in the case of private Bills.

(5) The Board may revoke, either wholly or partially, any Provisional Order made by them before the Order is confirmed by Parliament, but such revocation shall not be made whilst the Bill confirming the Order is pending in either House of Parliament.

(6) The making of a Provisional Order shall be primâ facie evidence that all the requirements of this Act in respect of proceedings required to be taken previously to the making of such Order have been complied with.

(7) Any Provisional Order made under this Act may be repealed, altered, or amended by any Provisional Order made by the Board in like manner as the original Order and confirmed by Parliament.

(8) The Board may make regulations in relation to the publication of notices and advertisements under this Schedule and to the holding of and procedure at public local inquiries under this Schedule and to any other matters of procedure respecting the making of Provisional Orders under this Act.

CHAPTER 5.

An Act to amend section sixteen of the Sheriff Courts (Scotland) Act, 1907, relating to leave of absence to salaried Sheriffs-substitute. [27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Section sixteen of the Sheriff Courts (Scotland) Act, 1907, shall be amended by the insertion after the word "ill-health" therein occurring of the words "or other reasonable cause." Amendment of section 16 of 7 Edw. 7. c. 51.

2. This Act shall have effect during the continuance of the present war and for a period of six months thereafter, and may be cited as the Sheriff Courts (Scotland) Amendment Act, 1914; and the Sheriff Courts (Scotland) Acts, 1907 and 1913, and this Act may be cited together as the Sheriff Courts (Scotland) Acts, 1907 to 1914. Short title and citation. 2 & 3 Geo. 5. c. 28.

CHAPTER 6.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and fifteen.

[27th November 1914.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and fifteen, the sum of two hundred and twenty-five million pounds. Issue of 225,000,000*l.* out of the Consolidated Fund for the service of the year ending 31st March 1915.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole two hundred and twenty-five million pounds. Power for the Treasury to borrow.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March one thousand nine hundred and fifteen, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills. 40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per

cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

3. This Act may be cited as the Consolidated Fund (No. 1) Act, 1914 (Session 2).

CHAPTER 7.

An Act to grant certain additional duties of Customs and Inland Revenue, including Excise, to alter other duties, and to amend the Law relating to Customs and Inland Revenue, including Excise, and the National Debt, and to make further provision in connection with Finance.

[27th November 1914.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted, by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.

Customs and Excise.

Increased duty on tea.

1. In lieu of the duty of customs payable on tea imported into Great Britain and Ireland there shall, as from the eighteenth day of November nineteen hundred and fourteen until the first day of July nineteen hundred and fifteen, be charged, levied, and paid the following duty (that is to say):—

Tea, the pound - - eightpence.

Addition to Customs duties on special kinds of beer.

2.—(1) In addition to the duties of Customs payable on beer of the descriptions called mum, spruce, or black beer, imported into Great Britain or Ireland, there shall, as from the eighteenth day of November nineteen hundred and fourteen

be charged, levied, and paid the following duties (that is to say) :—

	£	*s.*	*d.*
For every thirty-six gallons of beer where the worts thereof are, or were before fermentation, of a specific gravity—			
Not exceeding one thousand two hundred and fifteen degrees - - - - -	3	9	0
Exceeding one thousand two hundred and fifteen degrees - - - - - -	4	0	10

(2) This section shall extend to Berlin white beer, and other preparations, whether fermented or not fermented, of a character similar to mum, spruce, or black beer.

Addition to Customs duty on all other beer.

3. In addition to the duties of Customs payable on every description of beer (other than is specified in the last preceding section) imported into Great Britain or Ireland, there shall, as from the eighteenth day of November nineteen hundred and fourteen, be charged, levied, and paid the following duty (that is to say) :—

	£	*s.*	*d.*
For every thirty-six gallons where the worts thereof were before fermentation of a specific gravity of one thousand and fifty-five degrees	0	17	3

and there shall be allowed and paid in respect of all such beer a similar addition to the drawback granted on exportation, shipment for use as stores, or removal to the Isle of Man, by section four of the Customs and Inland Revenue Act, 1881 ; 44 & 45 Vict. c. 12.

And so as to both duty and drawback in proportion for any difference in gravity.

Addition to excise duty on beer.

4. In addition to the duty of excise payable in respect of beer brewed in the United Kingdom there shall, as from the eighteenth day of November nineteen hundred and fourteen, be charged, levied, and paid—

For every thirty-six gallons of worts of a specific gravity of one thousand and fifty-five degrees, the duty of seventeen shillings and threepence,

and in addition to the drawback of excise otherwise payable in respect of beer exported from the United Kingdon as merchandise or shipped for use as ship's stores there shall be allowed and paid in respect of beer brewed in the United Kingdom on or after the eighteenth day of November nineteen hundred and fourteen—

For every thirty-six gallons of beer of an original gravity of one thousand and fifty-five degrees, the drawback of seventeen shillings and threepence,

and so as to both duty and drawback in proportion for any difference in quantity or gravity.

Temporary rebate of additional beer duty.

5. The following rebates of the additional Customs and Excise duty on beer of seventeen shillings and threepence under this Act shall temporarily be allowed, namely :—

Period.	Rebate.	Reduced Rate.
Up to the thirty-first day of March nineteen hundred and sixteen.	Two shillings	Fifteen shillings and threepence.
After the thirty-first day of March nineteen hundred and sixteen, and up to the thirty-first day of March nineteen hundred and seventeen.	One shilling	Sixteen shillings and threepence.

and the additional duty of Customs payable in respect of beer of the descriptions called mum, spruce, or black beer, and drawback, shall be proportionately diminished.

Power to deposit in bond beer for export.

6. Subject to such regulations and security as the Commissioners of Customs and Excise may prescribe, a brewer for sale may without payment of duty deposit beer brewed in the United Kingdom in a warehouse approved by the Commissioners for the purpose, and may remove the beer from that warehouse for exportation or for use as ship's stores, and where any beer brewed in the United Kingdom on which duty has been paid is deposited in such a warehouse for the purpose of being exported or shipped as stores, drawback shall be allowed and paid as if the deposit in the warehouse were the exportation or shipment of the beer.

Amendment of law as to determination of gravity of worts of beer. 43 & 44 Vict. c. 20.

7.—(1) The Inland Revenue Act, 1880, shall have effect as though, as the table to be used for determining the original gravity of worts of beer, there were substituted for the table set out in the First Schedule to that Act the revised table an original copy of which, marked Table A., has been signed by the Chairman of the Commissioners of Customs and Excise, and deposited in the office of the King's Remembrancer at the Royal Courts of Justice :

Provided that where the original gravity has been ascertained by the officer in accordance with the said revised table under section fifteen of the Inland Revenue Act, 1880, a deduction of three quarters of a degree shall be allowed from the gravity so ascertained for the purpose of the charge of duty in accordance with subsection (3) of section thirteen of the Inland Revenue Act, 1880 (which requires the duty to be charged according to the gravity as entered in the book by the brewer, or as ascertained by the officer, whichever is the higher).

(2) Any definite quantity of worts to be distilled for the purpose of ascertaining original gravity under section fifteen of the Inland Revenue Act, 1880, shall, before being distilled, be cleared from sediment by filtration.

(3) Where it is necessary to ascertain the original gravity of beer, whether for the purpose of duty or for any other purpose of the Customs Acts or of the Excise Acts, the original gravity shall be ascertained in the manner prescribed by section fifteen of the Inland Revenue Act, 1880, as amended by this Act.

Certain liquors not to be treated as beer.

8. Liquor made elsewhere than upon the licensed premises of a brewer of beer for sale which on analysis of a sample thereof at any time is found to be of an original gravity not exceeding one thousand and sixteen degrees, and to contain not more than two per cent. of proof spirit, shall not (though but for this section within the definitions of beer contained in section two of the Inland Revenue Act, 1880, as amended by section four of the Customs and Inland Revenue Act, 1885, or in section fifty-two of the Finance (1909–10) Act, 1910), be deemed to be beer within those definitions.

48 & 49 Vict. c. 51.
10 Edw. 7. c. 8.

Reduction of licence duty where hours of sale are curtailed.

9.—(1) If the holder of a retailer's on-licence proves that the sale or consumption of intoxicating liquor on his premises has in any year been suspended during any hours under the Intoxicating Liquor (Temporary Restriction) Act, 1914, or under any Regulations made in pursuance of the Defence of the Realm Act, 1914, or any Act re-enacting that Act with or without amendment, he shall be entitled to a repayment of any duty paid by him in respect of his licence at the rate per annum of one-fifteenth part of the duty for every hour or part of an hour that the sale or consumption has been so suspended.

4 & 5 Geo. 5. c. 77.
4 & 5 Geo. 5. c. 29.

This provision shall not have effect as respects premises in any area to which the Secretary of State orders that it is not to apply owing to the increased opportunities afforded for the sale of intoxicating liquor due to the concentration of troops in the area.

(2) In order to make provision for the case where hours of sale are curtailed by section seven of the Temperance (Scotland) Act, 1913, the holder of a retailer's on-licence in Scotland shall (in addition to any other relief granted by this section) be entitled to a rebate of two-fifteenths of the duty payable by him in respect of his licence.

3 & 4 Geo. 5. c. 33.

(3) The amount of any duty repaid or allowed under this section shall in no case exceed one-fourth part of the whole duty payable by the licence holder in respect of his licence.

Limit of time for payment of beer duty.

10. The power of the Commissioners of Customs and Excise to defer the time for payment of beer duty under section sixteen of the Inland Revenue Act, 1880, may be exercised so as to delay the time of payment for a period not exceeding one month beyond the time limited in that section.

Penalty for non-compliance with Customs orders as to entry and

11. If any person who is required by any order of the Commissioners of Customs and Excise under section one hundred and thirty-nine of the Customs Consolidation Act, 1876, to make entry and obtain clearance of any goods before

clearance of goods before shipment. 39 & 40 Vict. c. 36.

shipment fails to comply with the order, he shall be liable in respect of each offence to a penalty of one hundred pounds, without prejudice to the operation of any other provisions of that section, or any other provisions contained in that Act.

PART II.

INCOME TAX.

Increase of income tax and super-tax. 4 & 5 Geo. 5. c. 10.

12.—(1) In order, as far as may be, to provide for the collection of income tax (including super-tax) for the last four months of the current income-tax year at double the rates at which it is charged under the Finance Act, 1914, the following provisions shall have effect:—

(*a*) The amount payable in respect of any assessment already made of income tax chargeable otherwise than by way of deduction, or of super-tax, shall be treated as increased by one-third, and any authority to collect the tax, and remedy for non-payment of the tax, shall apply accordingly; and

(*b*) An assessment of any such income tax or super-tax not already made shall be made for an amount one-third more than that for which it would have been made if this Act had not passed; and

(*c*) Such deductions shall be made in accordance with regulations prescribed by the Commissioners of Inland Revenue in the case of dividends, interest, or other annual sums (including rent) due or payable after the fifth day of December nineteen hundred and fourteen as will make the total amount deducted in respect of income tax for the year equal to that which would have been deducted if income tax for the year had been at the rate of one shilling and eightpence; and

1 & 2 Geo. 5. c. 2.

(*d*) Subsection (1) of section fourteen of the Revenue Act, 1911, shall apply, in cases where both the half-yearly payments referred to therein have been paid before the passing of this Act, as if this Act were the Act imposing income tax for the year, and as if one shilling and eightpence were the rate ultimately charged for the year; and

(*e*) Where the amount of any exemption, relief, or abatement under the Income Tax Acts is to be determined by reference to the amount of income tax on any sum, the amount of the tax shall be calculated at one shilling and eightpence, with a proportionate reduction where relief is granted under section six of the Finance Act, 1914; and where income tax is payable in respect of a part only of a year, the tax shall be deemed to be at the rate of one shilling and eightpence.

(2) For the purpose of the Provisional Collection of Taxes Act, 1913, or of continuing income tax for any future income tax year, the rate of income tax for the current year shall be deemed to be two shillings and sixpence. 3 & 4 Geo. 5. c. 3.

Relief in respect of diminution of income due to war.

13.—(1) Section one hundred and thirty-three of the Income Tax Act, 1842, and section six of the Revenue Act, 1865 (which provide for the reduction of assessments or the repayment of duty in certain cases where the profits of the year of assessment fall short of the sum on which the assessment has been made), shall, notwithstanding their repeal by section twenty-four of the Finance Act, 1907, have effect as respects any assessment to income tax for the current income tax year where it is proved to the satisfaction of the Commissioners, by whom the assessment has been made, that the diminution of profits and gains on account of which relief is claimed under those sections is due to circumstances attributable directly or indirectly to the present war, whether those circumstances are a specific cause of the diminution of income within the meaning of section one hundred and thirty-four of the Income Tax Act, 1842, or not; and diminution of profits and gains on account of which relief can be given under this section shall not be deemed to be a specific cause authorising the grant of relief under the said section one hundred and thirty-four. 5 & 6 Vict. c. 35. 28 & 29 Vict. c. 30. 7 Edw. 7. c. 13.

The foregoing provision, in its application to the case of any person who, in connection with the present war, is or has been serving as a member of any of the military or naval forces of the Crown, or in any work abroad of the British Red Cross Society, or the Saint John Ambulance Association, or any other body with similar objects, shall be construed as if that provision referred only to section one hundred and thirty-three of the Income Tax Act, 1842, and contained no reference to section six of the Revenue Act, 1865.

(2) Where it is proved to the satisfaction of the Commissioners for the special purposes of the Acts relating to income tax that the actual income from all sources of any individual charged to super-tax for the current income tax year is or will be less than two-thirds of the income on which he is liable to be so charged, he shall be entitled to postpone the payment of so much of the super-tax payable by him as represents the difference between the tax payable on the income on which he is liable to be assessed and the tax which would have been payable by him if he had been assessed on his actual income; and any amount of which the payment is so postponed shall, subject to any provisions which may be made by Parliament, become payable on the first day of January nineteen hundred and sixteen.

(3) Section fifty-nine of the Taxes Management Act, 1880 (which relates to the statement of a case on a point of law), shall apply to cases in which relief is claimed under this section. 13 & 14 Vict. c. 19.

PART III.

LOAN.

Provision with respect to war loans. 4 & 5 Geo. 5. c. 60.

14.—(1) Any amount raised by the Treasury under the War Loan Act, 1914, which is in their opinion required for the purpose of defraying the expenses of the present war shall be deemed to be duly raised in accordance with the powers given by that Act, notwithstanding that the amount raised may exceed the supply for the time being granted to His Majesty for the service of the year ending the thirty-first day of March nineteen hundred and fifteen: Provided that such excess does not exceed one hundred million pounds.

22 Geo. 3. c. 45. 41 Geo. 3. c. 52.

(2) None of the provisions of the House of Commons (Disqualification) Act, 1782, or the House of Commons (Disqualifications) Act, 1801, shall be construed so as to extend to any subscription or contribution to any loan raised under the War Loan Act, 1914.

56 & 57 Vict. c. 69.

(3) The definition of Government stock in subsection (2) of section five of the Savings Bank Act, 1893, shall be read as if stock issued under the War Loan Act, 1914, were included in the First Schedule to the said Savings Bank Act, 1893.

PART IV.

NATIONAL DEBT.

Partial suspension of new sinking fund.

15. In the financial year ending on the thirty-first day of March nineteen hundred and fifteen, that portion of the permanent annual charge for the National Debt which is not required for the annual charges directed by the National Debt and Local Loans Act, 1887, or any other Act, to be paid out of that charge, or for the redemption of any Exchequer bonds under section seven of the Finance Act, 1905, which are drawn for redemption on the eighteenth day of April nineteen hundred and fifteen, shall not be paid.

50 & 51 Vict. c. 16.

5 Edw. 7. c. 4.

PART V.

MISCELLANEOUS.

Further suspension of obligation to pay half the proceeds of land value duties to local authorities. 1 Geo. 5. c. 2.

16. Section sixteen of the Revenue Act, 1911 (which suspends temporarily the obligation to pay half the proceeds of land value duties for the benefit of local authorities), shall have effect and shall be deemed always to have had effect as if the limiting words "but not beyond the thirty-first day of March nineteen hundred and fourteen" were omitted therefrom.

Construction and short title. 39 & 40 Vict. c. 36.

17.—(1) Part I. of this Act, so far as it relates to duties of Customs, shall be construed together with the Customs (Consolidation) Act, 1876, and any enactments amending that Act, and so far as it relates to duties of excise shall be construed together with the Acts which relate to the duties of excise and the management of those duties.

Part II. of this Act shall be construed together with the Income Tax Acts, 1842 to 1853, and any other enactments relating to Income tax, and those enactments and Part II. of this Act are in this Act referred to as the Income Tax Acts.

(2) This Act may be cited as the Finance Act, 1914 (Session 2).

CHAPTER 8.

An Act to consolidate and amend the Defence of the Realm Acts. [27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to make regulations as to the defence of the realm

1.—(1) His Majesty in Council has power during the continuance of the present war to issue regulations for securing the public safety and the defence of the realm, and as to the powers and duties for that purpose of the Admiralty and Army Council and of the members of His Majesty's forces and other persons acting in his behalf; and may by such regulations authorise the trial by courts-martial, or in the case of minor offences by courts of summary jurisdiction, and punishment of persons committing offences against the regulations and in particular against any of the provisions of such regulations designed—

(*a*) to prevent persons communicating with the enemy or obtaining information for that purpose or any purpose calculated to jeopardise the success of the operations of any of His Majesty's forces or the forces of his allies or to assist the enemy; or

(*b*) to secure the safety of His Majesty's forces and ships and the safety of any means of communication and of railways, ports, and harbours; or

(*c*) to prevent the spread of false reports or reports likely to cause disaffection to His Majesty or to interfere with the success of His Majesty's forces by land or sea or to prejudice His Majesty's relations with foreign powers; or

(*d*) to secure the navigation of vessels in accordance with directions given by or under the authority of the Admiralty; or

(*e*) otherwise to prevent assistance being given to the enemy or the successful prosecution of the war being endangered.

(2) Any such regulations may provide for the suspension of any restrictions on the acquisition or user of land, or the

exercise of the power of making byelaws, or any other power under the Defence Acts, 1842 to 1875, or the Military Lands Acts, 1891 to 1903, and any such regulations or any orders made thereunder affecting the pilotage of vessels may supersede any enactment, order, charter, byelaw, regulation or provision as to pilotage.

(3) It shall be lawful for the Admiralty or Army Council—

(*a*) to require that there shall be placed at their disposal the whole or any part of the output of any factory or workshop in which arms, ammunition, or warlike stores or equipment, or any articles required for the production thereof, are manufactured;

(*b*) to take possession of and use for the purpose of His Majesty's naval or military service any such factory or workshop or any plant thereof;

and regulations under this Act may be made accordingly.

(4) For the purpose of the trial of a person for an offence under the regulations by court-martial and the punishment thereof, the person may be proceeded against and dealt with as if he were a person subject to military law and had on active service committed an offence under section five of the Army Act:

Provided that where it is proved that the offence is committed with the intention of assisting the enemy a person convicted of such an offence by a court-martial shall be liable to suffer death.

(5) For the purpose of the trial of a person for an offence under the regulations by a court of summary jurisdiction and the punishment thereof, the offence shall be deemed to have been committed either at the place in which the same actually was committed or in any place in which the offender may be, and the maximum penalty which may be inflicted shall be imprisonment with or without hard labour for a term of six months or a fine of one hundred pounds, or both such imprisonment and fine; section seventeen of the Summary Jurisdiction Act, 1879, shall not apply to charges of offences against the regulations, but any person aggrieved by a conviction of a court of summary jurisdiction may appeal in England to a court of quarter sessions, and in Scotland under and in terms of the Summary Jurisdiction (Scotland) Acts, and in Ireland in manner provided by the Summary Jurisdiction (Ireland) Acts.

42 & 43 Vict. c. 49.

(6) The regulations may authorise a court-martial or court of summary jurisdiction, in addition to any other punishment, to order the forfeiture of any goods in respect of which an offence against the regulations has been committed.

Short title and repeal

2.—(1) This Act may be cited as the Defence of the Realm Consolidation Act, 1914.

(2) The Defence of the Realm Act, 1914, and the Defence of the Realm (No. 2) Act, 1914, are hereby repealed, but nothing in this repeal shall affect any Orders in Council made thereunder, and all such Orders in Council shall, until altered or revoked by an Order in Council under this Act, continue in force and have effect as if made under this Act. 4 & 5 Geo. 5. c. 29. 4 & 5 Geo. 5. c. 63.

CHAPTER 9.

An Act to postpone the commencement of the Criminal Justice Administration Act, 1914.

[27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. In section forty-four of the Criminal Justice Administration Act, 1914, the first day of April nineteen hundred and fifteen shall, as respects England and Wales and Scotland, be substituted for the first day of December nineteen hundred and fourteen as the date of the commencement of that Act: Postponement of commencement of 4 & 5 Geo. 5. c. 58.

Provided that the postponement effected by this section shall not apply to the following sections of that Act, that is to say, sections one, eighteen, twenty-one, twenty-two, twenty-three, twenty-five, thirty, thirty-one, thirty-two, thirty-three, thirty-five, thirty-six, and thirty-seven, or any of the provisions of section forty-two by which that Act is modified in respect of those sections in its application to Scotland, or any repeal which is consequential on any of those sections, all of which provisions shall come into operation on the first day of December nineteen hundred and fourteen as if this Act had not been passed.

2. This Act may be cited as the Criminal Justice Administration (Postponement) Act, 1914. Short title.

CHAPTER 10.

An Act to extend, in respect of the present War, the relief from disqualification for office granted by the Members of Local Authorities Relief Act, 1900.

[27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of 63 & 64 Vict. c. 46 during the present war.

1. The Members of Local Authorities Relief Act, 1900 (which relieves members of certain of His Majesty's forces from disqualification for membership of county and other councils by reason of absence), shall, during the present war, extend to all members of His Majesty's naval and military forces employed on any naval or military service and to any person whose employment in connection with naval or military operations the Local Government Board consider may properly be treated for the purpose of this Act in the same manner as actual naval or military service, and that Act shall have effect accordingly.

Short title.

2. This Act may be cited as the Local Authorities (Disqualification Relief) Act, 1914.

CHAPTER 11.

An Act to make provision with respect to obligations incurred by or on behalf of His Majesty's Government for the purposes of the present war or in connection therewith and for other purposes in relation thereto.

[27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision of money to fulfil Government war obligations.

1. There shall be paid out of moneys provided by Parliament or, if those moneys are insufficient, there shall be charged on and paid out of the Consolidated Fund, or the growing produce thereof, such sums as may be required for the purpose of giving effect to any such obligations incurred by or on behalf of His Majesty's Government before the passing of this Act as are set out in the Schedule to this Act (in this Act referred to as Government war obligations).

Exemption from stamp duty and registration of documents carrying out Government war obligations.

2.—(1) No contract of re-insurance for the purpose of carrying out any Government war obligation to which the Government, or any person on behalf of the Government, are a party, shall be liable to stamp duty, and no contract of insurance, re-insurance, or other document for the purpose of carrying out any such obligation shall be void by reason only that it is not stamped or expressed in a policy of sea insurance, or is made for a term exceeding twelve months.

8 Edw. 7. c. 69. 3 & 4 Geo. 5. c. 34.

(2) No provisions of the Companies (Consolidation) Act, 1908, or the Bankruptcy and Deeds of Arrangement Act, 1913, or any other Act as to registration of charges shall apply to any charges given for the purpose of obtaining any loan guaranteed

by or on behalf of the Government in pursuance of any war obligation ; and no notice of any such charge need be registered or notified.

Powers of associations with respect to insurance of ships or cargo against war risks.

3. Any policies of insurance or re-insurance granted, or any contract made, or other action taken, by any association or body of persons approved by the Board of Trade for the purpose of carrying out any Government scheme in connection with the present war of insurance of ships or cargo against risk of the King's enemies or for the relief of dependants of persons on insured ships shall, if and so far as the Board of Trade so direct, be deemed to be valid, notwithstanding that the granting of the policy, or the making of the contract, or the taking of the action was beyond the powers of the association or body of persons.

Short title.

4. This Act may be cited as the Government War Obligations Act, 1914.

SCHEDULE.

Section 1.

Government War Obligations.

Obligations incurred in connection with the present war in respect of—

1. Guarantees given to the Bank of England in connection with—
   - (*a*) The discount of bills of exchange ;
   - (*b*) Advances to acceptors of bills of exchange ;
   - (*c*) Advances in connection with loans made to members of the Stock Exchange.
2. Guarantees given in connection with bills of exchange drawn by traders having debts due from abroad which are not immediately recoverable, and in connection with advances to traders to enable them to meet liabilities under contracts entered into before the outbreak of war ;
3. Payments on contracts of insurance or re-insurance against war risks of ships or cargo or for the relief of dependants of persons on insured ships so far as provision is not made for those payments by the application of premiums or otherwise ;
4. Any loan raised by any of the powers allied in the present war or by the Government of Egypt or by the Government of any of His Majesty's Dominions or any British Possession or Protectorate ;
5. The maintenance or assistance, in connection with the present war, of food supply, trade, industry, business, or communications in the United Kingdom or in any other country, or the relief of distress in the United Kingdom or in any other country.

CHAPTER 12.

An Act to amend the Trading with the Enemy Act, 1914, and for purposes connected therewith.

[27th November 1914.]

WHEREAS it is expedient to make further provision for preventing the payment of money to persons and bodies of persons resident or carrying on business in any country with which His Majesty is for the time being at war (which persons and bodies of persons are hereinafter referred to as "enemies"), in contravention of the law relating to trading with the enemy, and for preserving, with a view to arrangements to be made at the conclusion of peace, such money and certain other property belonging to enemies; and to make other provisions for preventing trading with the enemy:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Constitution of office of Custodian of enemy property.

1.—(1) The Board of Trade shall appoint a person to act as Custodian of enemy property (hereinafter referred to as "the Custodian") for England and Wales, for Scotland, and for Ireland respectively, for the purpose of receiving, holding, preserving, and dealing with such property as may be paid to or vested in him in pursuance of this Act, and if any question arises as to which Custodian any money is to be paid to under this Act, the question shall be determined by the Board of Trade.

(2) The Public Trustee shall be appointed to be the Custodian for England and Wales, and shall, in relation to all property held by him in his capacity of Custodian, have the like status, and his accounts shall be subject to the like audit, as if the same were held by him in his capacity of Public Trustee, and the Public Trustee Act, 1906, shall apply accordingly.

6 Edw. 7. c. 55.

(3) The Custodian for Scotland and Ireland respectively shall have such powers and duties with respect to the property aforesaid as may be prescribed by regulations made by the Board of Trade with the approval of the Treasury.

(4) The Custodian may place on deposit with any bank, or invest in any securities, approved by the Treasury, any moneys paid to him under this Act, or received by him from property vested in him under this Act, and any interest or dividends received on account of such deposits or investments shall be dealt with in such manner as the Treasury may direct:

Provided that the Custodian for any part of the United Kingdom shall, if so directed by the Treasury, transfer any money held by him under this Act to the Custodian of another part thereof.

Payment of dividends, &c. payable to enemy.

2.—(1) Any sum which, had a state of war not existed, would have been payable and paid to or for the benefit of an enemy, by way of dividends, interest or share of profits, shall be paid by the person, firm or company by whom it would have been payable to the Custodian to hold subject to the provisions of this Act and any Order in Council made thereunder, and the payment shall be accompanied by such particulars as the Board of Trade may prescribe, or as the Custodian, if so authorised by the Board of Trade, may require.

Any payment required to be made under this subsection to the Custodian shall be made—

(*a*) within fourteen days after the passing of this Act, if the sum, had a state war not existed, would have been paid before the passing of this Act; and

(*b*) in any other case within fourteen days after it would have been paid.

(2) Where before the passing of this Act any such sum has been paid into any account with a bank, or has been paid to any other person in trust for an enemy, the person, firm or company by whom the payment was made shall, within fourteen days after the passing of this Act, by notice in writing, require the bank or person to pay the sum over to the Custodian to hold as aforesaid, and shall furnish the Custodian with such particulars as aforesaid. The bank or other person shall, within one week after the receipt of the notice, comply with the requirement and shall be exempt from all liability for having done so.

(3) If any person fails to make or require the making of any payment or to furnish the prescribed particulars within the time mentioned in this section, he shall, on conviction under the Summary Jurisdiction Acts, be liable to a fine not exceeding one hundred pounds or to imprisonment, with or without hard labour, for a term not exceeding six months, or to both such fine and imprisonment, and in addition to a further fine not exceeding fifty pounds for every day during which the default continues, and every director, manager, secretary or officer of a company, or any other person who is knowingly a party to the default shall, on the like conviction, be liable to the like penalty.

(4) If, in the case of any person, firm or company whose books and documents are liable to inspection under subsection (2) of section two of the Trading with the Enemy Act, 1914 (hereinafter referred to as the principal Act), any question arises as to the amount which would have been so payable and paid as aforesaid, the question shall be determined by the person who may have been or who may be appointed to inspect the books and documents of the person, firm or company, or, on appeal, by the Board of Trade, and if, in the course of determining the question, it appears to the inspector or the Board of Trade that the person, firm or company has not distributed as

4 & 5 Geo. 5. c. 87.

dividends, interest or profits the whole of the amount properly available for that purpose, the inspector or Board may ascertain what amount was so available and require the whole of such amount to be so distributed, and, in the case of a company, if such dividends have not been declared, the inspector or the Board may himself or themselves declare the appropriate dividends, and every such declaration shall be as effective as a declaration to the like effect duly made in accordance with the constitution of the company:

Provided that where a controller has been appointed under section three of the principal Act this subsection shall apply as if for references to the inspector there were substituted references to the controller.

(5) For the purposes of this Act the expression "dividends, interest or share of profits" means any dividends, bonus or interest in respect of any shares, stock, debentures, debenture stock or other obligations of any company, any interest in respect of any loan to a firm or person carrying on business for the purposes of that business, and any profits or share of profits of such a business, and, where a person is carrying on any business on behalf of an enemy, any sum which, had a state of war not existed, would have been transmissible by a person to the enemy by way of profits from that business shall be deemed to be a sum which would have been payable and paid to that enemy.

Duty of trustees for enemies to notify the Custodian.

3.—(1) Any person who holds or manages for or on behalf of an enemy any property, real or personal (including any rights, whether legal or equitable, in or arising out of property, real or personal), shall, within one month after the passing of this Act or if the property comes into his possession or under his control after the passing of this Act, then within one month after the time when it comes into his possession or under his control, by notice in writing communicate the fact to the Custodian, and shall furnish the Custodian with such particulars in relation thereto as the Custodian may require, and if any person fails to do so he shall, on conviction under the Summary Jurisdiction Acts, be liable to a fine not exceeding one hundred pounds or to imprisonment, with or without hard labour, for a term not exceeding six months, or to both such a fine and imprisonment, and in addition to a further fine not exceeding fifty pounds for every day during which the default continues.

(2) Every company incorporated in the United Kingdom and every company which, though not incorporated in the United Kingdom, has a share transfer or share registration office in the United Kingdom shall, within one month after the passing of this Act, by notice in writing communicate to the Custodian full particulars of all shares, stock, debentures, and debenture stock and other obligations of the company which are held by or for the benefit of an enemy; and every partner of every firm, one

or more partners of which on the commencement of the war became enemies or to which money had been lent for the purpose of the business of the firm by a person who so became an enemy, shall, within one month after the commencement of this Act, by notice in writing communicate to the Custodian full particulars as to any share of profits and interest due to such enemies or enemy, and, if any company or partner fails to comply with the provisions of this subsection, the company shall, on conviction under the Summary Jurisdiction Acts, be liable to a fine not exceeding one hundred pounds, and in addition to a further fine not exceeding fifty pounds for every day during which the default continues, and the partner and every director, manager, secretary or officer of the company who is knowingly a party to the default shall on the like conviction be liable to the like fine, or to imprisonment, with or without hard labour, for a term not exceeding six months, or to both such imprisonment and fine.

Power to vest enemy property in Custodian.

4.—(1) The High Court or a judge thereof may, on the application of any person who appears to the court to be a creditor of an enemy or entitled to recover damages against an enemy, or to be interested in any property, real or personal (including any rights, whether legal or equitable, in or arising out of property real or personal), belonging to or held or managed for or on behalf of an enemy, or on the application of the Custodian or any Government Department, by order vest in the Custodian any such real or personal property as aforesaid, if the court or the judge is satisfied that such vesting is expedient for the purposes of this Act, and may by the order confer on the Custodian such powers of selling, managing and otherwise dealing with the property as to the court or judge may seem proper.

(2) The court or judge before making any order under this section may direct that such notices (if any), whether by way of advertisement or otherwise, shall be given as the court or judge may think fit.

(3) A vesting order under this section as respects property of any description shall be of the like purport and effect as a vesting order as respects property of the same description made under the Trustee Act, 1893.

56 & 57 Vict. c. 53.

Holding and dealing with property by Custodian.

5.—(1) The Custodian shall, except so far as the Board of Trade or the High Court or a judge thereof may otherwise direct, and subject to the provisions of the next succeeding sub-section, hold any money paid to and any property vested in him under this Act until the termination of the present war, and shall thereafter deal with the same in such manner as His Majesty may by Order in Council direct.

(2) The property held by the Custodian under this Act shall not be liable to be attached or otherwise taken in execution, but the Custodian may, if so authorised by an order of the High

the word "thereof" is substituted for the words in brackets by the Trading with the Enemy Amendment Act 1916 s. 12 post p. 378

Court or a judge [by whose order any property belonging to an enemy was vested in the Custodian under this Act, or of any court in which judgment has been recovered against an enemy] pay out of the property paid to him in respect of that enemy the whole or any part of any debts due by that enemy and specified in the order:

Provided that before paying any such debt the Custodian shall take into consideration the sufficiency of the property paid to or vested in him in respect of the enemy in question to satisfy that debt and any other claims against that enemy of which notice verified by statutory declaration may have been served upon him.

(3) The receipt of the Custodian or any person duly authorised to sign receipts on his behalf for any sum paid to him under this Act shall be a good discharge to the person paying the same as against the person or body of persons in respect of whom the sum was paid to the Custodian.

(4) The Custodian shall keep a register of all property held by him under this Act which register shall be open to public inspection at all reasonable times free of charge.

(5) In England and Ireland the Lord Chancellor and the Lord Chancellor for Ireland may by rules, and in Scotland the Court of Session may by act of sederunt, make provision for the practice and procedure to be adopted for the purposes of this and the last preceding section.

Invalidity of assignment of debts, &c. by enemies.

6.—(1) No person shall by virtue of any assignment of any debt or other chose in action, or delivery of any coupon or other security transferable by delivery, or transfer of any other obligation, made or to be made in his favour by or on behalf of an enemy, whether for valuable consideration or otherwise, have any rights or remedies against the person liable to pay, discharge or satisfy the debt, chose in action, security or obligation, unless he proves that the assignment, delivery, or transfer was made by leave of the Board of Trade or was made before the commencement of the present war, and any person who knowingly pays, discharges or satisfies any debt, or chose in action, to which this subsection applies, shall be deemed to be guilty of the offence of trading with the enemy within the meaning of the principal Act:

Provided that this subsection shall not apply where the person to whom the assignment, delivery or transfer was made, or some person deriving title under him, proves that the transfer, delivery or assignment or some subsequent transfer, delivery or assignment, was made before the nineteenth day of November, nineteen hundred and fourteen, in good faith and for valuable consideration nor shall this subsection apply to any bill of exchange or promissory note.

(2) No person shall by virtue of any transfer of a bill of exchange or promissory note made or to be made in his favour

by or on behalf of an enemy, whether for valuable consideration or otherwise, have any rights or remedies against any party to the instrument unless he proves that the transfer was made before the commencement of the present war, and any party to the instrument who knowingly discharges the instrument shall be deemed to be guilty of trading with the enemy within the meaning of the principal Act:

Provided that this subsection shall not apply where the transferee, or some subsequent holder of the instrument, proves that the transfer, or some subsequent transfer, of the instrument was made before the nineteenth day of November, nineteen hundred and fourteen, in good faith and for valuable consideration.

(3) Nothing in this section shall be construed as validating any assignment, delivery or transfer which would be invalid apart from this section or as applying to securities within the meaning of section eight of this Act.

Right to pay into court sums due on coupons suspected of being enemy property.

7. Where during the continuance of the present war any coupon or other security transferable by delivery is presented for payment to any company, municipal authority, or other body or person, and the company, body or person has reason to suspect that it is so presented on behalf or for the benefit of an enemy, or that since the commencement of the present war it has been held by or for the benefit of an enemy, the company, body or person may pay the sum due in respect thereof into the High Court, and the same shall, subject to rules of court, be dealt with according to the orders of the court, and such a payment shall for all purposes be a good discharge to the company, body or person.

Invalidity of transfers of shares in company, &c.

8.—(1) No transfer made after the passing of this Act by or on behalf of an enemy of any securities shall confer on the transferee any rights or remedies in respect thereof and no company or municipal authority or other body by whom the securities were issued or are managed shall, except as hereinafter appears, take any cognizance of or otherwise act upon any notice of such a transfer:

(2) No entry shall hereafter, during the continuance of the present war, be made in any register or branch register or other book kept in the United Kingdom of any transfer of any securities therein registered, inscribed or standing in the name of an enemy, except by leave of a court of competent jurisdiction or of the Board of Trade.

(3) No share warrants payable to bearer shall be issued during the continuance of the present war in respect of any shares or stock registered in the name of any enemy.

(4) If any company or any body contravenes the provisions of this section the company or body shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding one hundred pounds, and every director, manager,

secretary or other officer of the company or body who is knowingly a party to the default, shall be liable on the like conviction to a like fine or to imprisonment, with or without hard labour, for a term not exceeding six months.

(5) For the purposes of this section the expression "securities" means any annuities, stock, shares, debentures, or debenture stock issued by or on behalf of the Government or by any municipal or other authority, or by any company or by any other body which are registered or inscribed in any register, branch register, or other book kept in the United Kingdom.

Condition as to the incorporation of new companies.

9.—(1) During the continuance of the present war a certificate of incorporation of a company shall not be given by the Registrar of Joint Stock Companies until there has been filed with him either—

(*a*) a statutory declaration by a solicitor of the Supreme Court, or, in Scotland, by an enrolled law agent, engaged in the formation of the company, that the company is not formed for the purpose or with the intention of acquiring the whole or any part of the undertaking of a person, firm or company the books and documents of which are liable to inspection under subsection (2) of section two of the principal Act; or

(*b*) a licence from the Board of Trade authorising the acquisition by the company of such an undertaking.

(2) Where such a statutory declaration has been filed it shall not be lawful for the company, during the continuance of the present war, without the licence of the Board of Trade, to acquire the whole or any part of any such undertaking, and if it does so the company shall, without prejudice to any other liability, be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding one hundred pounds, and every director, manager, secretary, or other officer of the company who is knowingly a party to the default shall on the like conviction be liable to the like fine or to imprisonment, with or without hard labour, for a term not exceeding six months.

Additional provisions as to trading with enemy.

10.—(1) Section one of the principal Act shall apply to a person who during the present war attempts, or directly or indirectly offers or proposes or agrees, or has since the fourth day of August nineteen hundred and fourteen attempted or directly or indirectly offered or proposed or agreed, to trade with the enemy within the meaning of that Act in like manner as it applies to a person who so trades or has so traded.

(2) If any person without lawful authority in anywise aids or abets any other person, whether or not such other person is in the United Kingdom, to enter into, negotiate, or complete any transaction or do any act which, if effected or done in the

United Kingdom by such other person, would constitute an offence of trading with the enemy within the meaning of the principal Act, he shall be deemed to be guilty of such an offence.

(3) If any person without lawful authority deals, or attempts, or offers, proposes or agrees, whether directly or indirectly, to deal with any money or security for money or other property which is in his hands or over which he has any claim or control for the purpose of enabling an enemy to obtain money or credit thereon or thereby he shall be deemed to be guilty of the offence of trading with the enemy within the meaning of the principal Act.

Additional ground for appointment of controller.

11.—(1) In addition to the grounds on which an application can be made to the court by the Board of Trade to appoint a controller under section three of the principal Act, such an application may be made in any case in which the Board think it is expedient in the public interest that a controller should be appointed owing to circumstances or considerations arising out of the present war, and that section shall be construed accordingly.

(2) Section three of the principal Act, as amended by this section, shall extend so as to enable a controller to be appointed of a business carried on by a person in like manner as it applies to the appointment of a controller of a business carried on by a firm.

Amendment of s. 2 of principal Act.

12.—(1) Where, on the report of an inspector appointed to inspect the books and documents of a person, firm, or company under section two of the principal Act, it appears to the Board of Trade that it is expedient that the business should be subject to frequent inspection or constant supervision, the Board of Trade may appoint that inspector or some other person to supervise the business with such powers as the Board of Trade may determine, and any remuneration payable and expenses incurred, whether for the original inspection or the subsequent supervision to such amount as may be fixed by the Board of Trade, shall be paid by the said person, firm, or company.

(2) Paragraph (c) of subsection (2) of section two of the principal Act shall have effect and shall be deemed always to have had effect as if for the word "trading" there were substituted the word "resident."

Power to use information in evidence against informant.

13. Where a person has given any information to a person appointed to inspect the books and documents of a person, firm, or company under section two of the principal Act, the information so given may be used in evidence against him in any proceedings relating to offences of trading with the enemy within the meaning of the principal Act, notwithstanding that

he only gave the information on being required so to do by the inspector, in pursuance of his powers under the said section.

Short title and construction.

14.—(1) This Act may be cited as the Trading with the Enemy Amendment Act, 1914, and shall be construed as one with the principal Act.

(2) No person or body of persons shall, for the purposes of this Act, be treated as an enemy who would not be so treated for the purpose of any proclamation issued by His Majesty dealing with trading with the enemy for the time being in force, and the expression "commencement of the present war" shall mean as respects any enemy the date on which war was declared by His Majesty on the country in which that enemy resides or carries on business.

(3) In the application of this Act to Scotland "real property" shall mean "heritable property"; "personal property" shall mean "moveable property"; "chose in action" shall mean "right of action"; "attached or otherwise taken in execution" shall mean "arrested in execution or in security, or otherwise affected by diligence"; "assignment" shall mean "assignation"; "judgment has been recovered" shall mean "decree has been obtained"; a reference to a vesting order made under the Trustee Act, 1893, shall be construed as a reference to a warrant to complete a title granted under section twelve of the Trusts (Scotland) Act, 1867, and any money paid into the Court of Session in terms of this Act shall be paid in such manner as may be prescribed by Act of sederunt.

30 & 31 Vict. c. 97.

(4) Nothing in this Act shall be construed as limiting the power of His Majesty by proclamation to prohibit any transaction which is not prohibited by this Act, or by licence to permit any transaction which is so prohibited.

CHAPTER 13.

Amended by the Execution of Trusts (War Facilities) Act 1915 post p. 215

An Act to facilitate the execution of Trusts during the present War. [27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to delegate the execution of trusts by power of attorney.

1.—(1) A trustee (whether a sole trustee or a trustee with others) may, notwithstanding any rule of law or equity to the contrary, by power of attorney, attested by one or more witnesses, delegate to any person capable of being appointed to be a trustee of the trust the execution during any period for which the trustee is engaged on war service within the meaning of this Act, and a further period of one month thereafter, of any trust of which he is trustee.

In re Wells and Robertson 1916 2 Ch. 289

(2) For the purposes of this Act a trustee shall be deemed to be engaged on war service :—

(*a*) If he is engaged on active service in connection with the present war as a member of any of the military or naval forces of the Crown ; and

(*b*) If he is engaged on service in any work abroad, in connection with the present war, of the British Red Cross Society, or the Saint John's Ambulance Association, or any other body with similar objects ; and

(*c*) If in connection with the present war he is a prisoner of war in the enemy's country or is interned in the country of a neutral Power.

(3) All jurisdiction and powers of any court shall apply to the donee of a power of attorney given under this Act so far as respects the execution of the trust in the same manner as if the donee were a trustee of the trust.

(4) A statutory declaration by the donee of a power of attorney under which the execution of a trust is delegated, that the donor is engaged on war service within the meaning of this Act, or that in any transaction the donee is acting in execution of the trust, shall be accepted as sufficient evidence of the fact by any person dealing with the donee.

Supplemental provisions as to powers of attorney given under Act.

44 & 45 Vict. c. 41

2.—(1) A power of attorney given under this Act may be deposited at the Central Office of the Supreme Court or proper office of the Supreme Court of Judicature in Ireland under section forty-eight of the Conveyancing Act, 1881, without any such verification of its execution as is therein required ; and, notwithstanding anything in any Act or rules, the Bank of England, the Bank of Ireland, the Paymaster-General, the Accountant-General of the Supreme Court of Judicature in Ireland, and any other person, shall not refuse to act on the authority of any such power of attorney, although the power is not attested by two witnesses, or fails in any other respect to comply with any formality required by law or practice.

(2) The donee of a power of attorney given under this Act may, for the purpose of the transfer of any inscribed stock, himself delegate to an attorney the power to transfer.

(3) The fact that it appears from any power of attorney given under this Act, or from any evidence required for the purposes of any such power of attorney, or otherwise, that in dealing with any stock the donee of the power is acting in the execution of a trust shall not be deemed for any purpose to affect any person in whose books the stock is inscribed or registered with any notice of the trust.

(4) In this section the expression "stock" includes shares and any fund, annuity, or security transferable in books kept by any person or by any instrument of transfer, either alone or

accompanied by other formalities, and any share or interest therein.

Extension of Act to certain persons abroad not actually engaged on war service.

3. The powers conferred by this Act on trustees in relation to any period for which they are engaged on war service, may also be exercised by any trustee not engaged on war service in relation to any period during which, being abroad, he is for any reason connected with the present war unable to return from abroad to the United Kingdom; and this Act shall have effect, in its application to such trustees, with the necessary modifications.

Short title and application.

4.—(1) This Act may be cited as the Execution of Trusts (War Facilities) Act, 1914.

(2) This Act shall not apply to Scotland.

(3) This Act shall not apply to any trustee under an implied or constructive trust.

CHAPTER 14.

An Act to authorise the modification or repeal of Section nine of the Poor Relief (Ireland) Act, 1847, as respects certain Poor Law Unions in Ireland.

[27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Orders of Local Government Board modifying or repealing section 9 of 10 & 11 Vict. c. 31.

1.—(1) The Local Government Board for Ireland may by order modify or repeal the provisions of section nine of the Poor Relief (Ireland) Act, 1847 (which prohibits the giving of relief from the poor rates of a union to any person not within the union when so relieved), so far as respects any union specified in the order if, in the opinion of the Board, the modification or repeal is necessary or expedient for any purpose in connexion with the present war, and may by the same or any subsequent order make or provide for such adjustments and apportionments of the property, powers, duties, income, liabilities and expenses of any board of guardians or other local authority affected as appear to the Board to be proper for the said purpose.

(2) An order under this section may contain such consequential, incidental, and supplemental provisions as the Board deem necessary, and shall have effect as from any date subsequent to the first day of August one thousand nine hundred and fourteen which may be specified therein for the purpose.

2. This Act may be cited as the Poor Relief (Ireland) Act, 1914, and shall be construed as one with the Poor Relief (Ireland) Acts, 1838 to 1900, and those Acts and this Act may be cited collectively as the Poor Relief (Ireland) Acts, 1838 to 1914. Short title, construction and citation.

CHAPTER 15.

An Act to amend section forty-six of the National Health Insurance Act, 1911, as respects the present War.

[27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The requirements as to proof of state of health and to making application within the prescribed time imposed by paragraph (*h*) of subsection (3) of section forty-six of the National Insurance Act, 1911, as conditions on which a seaman, marine, or soldier, on his discharge from service, can become entitled to benefits payable out of the Navy and Army Insurance fund, shall not apply in the case of a seaman, marine, or soldier who, on his discharge from service during or within the prescribed period after the conclusion of the present war, is certified by the Admiralty or Army Council to be suffering from any disease, or disablement, or bodily or mental unfitness, but every such man shall become entitled to benefits payable out of that fund as from the date of his discharge in like manner as if he had satisfied such requirements as aforesaid: Rule of conditions under 1 & 2 Geo. 5. c. 55. s. 46 (3) (*h*).

Provided that if in any case the Insurance Commissioners are of opinion that the state of the man's health on discharge is not such as to disqualify him for admission to an approved society, the Commissioners may, by notice, fix a time (not being less than three months from the date of such notice and not being more than six months from the date of his discharge) at which he shall cease to be entitled to benefits out of the fund, unless he satisfies them that he has been unable by reason of the state of his health to obtain admission to an approved society.

2. Section forty-six of the National Insurance Act, 1911, shall apply, and shall be deemed always to have applied, to seamen and marines who have entered or enlisted for the purposes of the present war as it applies to men of the territorial force called out on embodiment. Extension of 1 & 2 Geo. 5. c. 55. s. 46.

3. This Act may be cited as the National Insurance (Navy and Army) Act, 1914 (Session 2). Short title.

CHAPTER 16.

An Act to extend the term of service of the Royal Marine Force during the present War. [27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to prolong service during the present war. 10 & 11 Vict. c. 63.

1. Section five of the Royal Marines Act, 1847, which enables the term of service for a marine to be prolonged if the term expires whilst he is serving on a foreign station, shall during the continuance of the present war apply, and shall be deemed always to have applied, wherever a marine may be or may have been serving at the expiration of his term of service, with the substitution of a reference to the Admiralty for the reference to the commanding officer on the foreign station.

Short title.

2. This Act may be cited as the Royal Marines Act, 1914.

CHAPTER 17.

An Act to enable the Admiralty to dispense with compliance with the requirements of the Navy and Marines (Wills) Acts, 1865 and 1897, in the case of Seamen and Marines dying during or in consequence of the present War. [27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power of Admiralty to dispense with provisions of Navy and Marines (Wills) Acts. 28 & 29 Vict. c. 72. 60 & 61 Vict. c. 15.

1. Notwithstanding anything in the Navy and Marines (Wills) Acts, 1865 and 1897, the Admiralty may, in the case of a will made by any person being or having been a seaman or marine who may have died or may hereafter die during or in consequence of the present war, pay or deliver any wages, grant, or other allowance, or other money payable by the Admiralty, or any effects or money in charge of the Admiralty, to any person claiming to be entitled thereto under such will though not made in conformity with the provisions of the said Acts, if the Admiralty are of opinion that compliance with the requirements of those Acts may be properly dispensed with.

Short title.

2. This Act may be cited as the Navy and Marines (Wills) Act, 1914.

CHAPTER 18.

An Act to provide for the grant of Pensions and other Allowances to certain persons if disabled whilst employed abroad in connection with warlike operations, and to their dependants, and to amend the Injuries in War (Compensation) Act, 1914.

[27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Pension schemes for persons disabled abroad in connection with warlike operations.

1.—(1) The Admiralty and Army Council, subject to the consent of the Treasury, shall have power to frame schemes as to pensions and grants and other allowances in the nature thereof to be paid to persons (not being officers or men of any of His Majesty's forces) in respect of disablement suffered whilst employed on shore out of the United Kingdom by or under the Admiralty and Army Council in connection with warlike operations in which His Majesty is engaged, and, in the case of their death, to their widows or other dependants.

(2) A scheme shall specify the persons to whom the scheme applies and the conditions under which it becomes applicable, and may include persons not in the direct employment of the Admiralty or Army Council.

(3) A person to whom any such scheme applies shall not, nor, in the case of his death, shall his widow or other dependants or his personal representatives, in respect of any disablement suffered by him whilst the scheme so applies to him, be entitled to any pensions or other benefits under any Order in Council or any warrant or regulations relating to officers and men in the naval or military service of the Crown, or to any gratuity or any superannuation or other allowance under the Superannuation Acts, 1834 to 1914, or to any compensation or damages at common law or under any other statute, except so far as the scheme otherwise provides.

(4) All pensions, grants, and other allowances under this Act shall be paid out of moneys provided by Parliament.

(5) A scheme under this Act may provide that the scheme shall have effect as from the third day of August nineteen hundred and fourteen, and any such scheme may be revoked or varied by a subsequent scheme.

(6) For the purposes of this section, "disablement" means disablement by personal injury or by sickness specifically attributable to the nature or conditions of the employment.

Extension of 4 & 5 Geo. 5. c. 30.

2. The Injuries in War (Compensation) Act, 1914, shall extend to pensions, grants, and other allowances in respect of disablement by sickness specifically attributable to the nature and conditions of the employment in like manner as it applies to pensions, grants, and other allowances in respect of injuries.

Short title.

3. This Act may be cited as the Injuries in War Compensation Act, 1914 (Session 2).

CHAPTER 19.

An Act to amend the Courts (Emergency Powers) Act, 1914, in its application to Ireland.

[27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of 4 & 5 Geo. 5. c. 78.

14 & 15 Vict. c. 92.
23 & 24 Vict. c. 154.
1 & 2 Vict. c. 74.

1. In the application of the Courts (Emergency Powers) Act, 1914, to Ireland "proceedings for the recovery of possession of lands or tenements under section fifteen of the "Summary Jurisdiction (Ireland) Act, 1851, or section eighty-six of the Landlord and Tenant Law Amendment Act "(Ireland), 1860," shall be substituted for "proceedings for "the recovery of possession of tenements under the Small "Tenements Recovery Act, 1838."

Short title.

2. This Act may be cited as the Courts (Emergency Powers) (Ireland) Act, 1914.

CHAPTER 20.

An Act to enable apprentices to Law Agents in Scotland to reckon service in connection with the present war as service under an indenture of apprenticeship for the purposes of the Law Agents (Scotland) Act, 1873.

[27th November 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

War service to reckon towards apprenticeship.

36 & 37 Vict. c. 63.

1. Where any person has served since the fourth day of August nineteen hundred and fourteen, or shall serve in any of the naval or military forces of the Crown in the present war, and was or shall be during the period of such service under an indenture of apprenticeship in terms of the Law Agents (Scotland) Act, 1873, one half of the period of such service shall be reckoned as actual service under such indenture.

Short title.

2. This Act may be cited as the Law Agents Apprenticeship (War Service) (Scotland) Act, 1914.

CHAPTER 21.

An Act to restrict the transfer of British Ships to Persons not qualified to own British Ships. [16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Regulation of transfer of British ship to unqualified persons.

1. A transfer made after the twelfth day of February nineteen hundred and fifteen of a British ship registered in the United Kingdom, or a share therein, to a person not qualified to own a British ship, shall not have any effect unless the transfer is approved by the Board of Trade on behalf of His Majesty, and any person who makes, or purports to make, such a transfer after the commencement of this Act without that approval shall, in respect of each offence, be guilty of a misdemeanour.

Application to ships registered at foreign ports of registry and British possessions.

2. This Act shall apply to British ships registered at foreign ports of registry and to British ships registered in any British possession other than those mentioned in the Schedule to this Act as it applies to British ships registered in the United Kingdom.

Short title, construction, and duration.

3.—(1) This Act may be cited as the British Ships (Transfer Restriction) Act, 1915, and shall be read as one with the Merchant Shipping Acts, 1894 to 1914.

(2) This Act shall have effect only during the continuance of the present war.

SCHEDULE.

British India.
The Dominion of Canada.
The Commonwealth of Australia (including Papua and Norfolk Island).
The Dominion of New Zealand.
The Union of South Africa.
Newfoundland.

CHAPTER 22.

An Act to amend the Universities and College Estates Acts, and to extend the powers of the Universities of Oxford and Cambridge and the Colleges therein to make statutes, for purposes connected with the present War.

[16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

AMENDMENT OF THE UNIVERSITIES AND COLLEGE ESTATES ACTS.

Extension of purposes for which money may be borrowed or applied.
21 & 22 Vict. c. 44.
43 & 44 Vict. c. 46.
61 & 62 Vict. c. 55.

1.—(1) The purposes for which money may be borrowed by a University or College under section twenty-seven of the Universities and College Estates Act, 1858, or to which purchase or other capital money may be applied under the Universities and College Estates Amendment Act, 1880, or under the Universities and College Estates Act, 1898, shall include the making good of any deficiency in the revenues of the University or College in any financial year of the University or College expiring at or before the end of the emergency period which in the opinion of the Board of Agriculture and Fisheries is due to circumstances attributable directly or indirectly to the present war:

Provided that for the purpose of such borrowing or application no certificate from a surveyor shall be necessary.

(2) Money borrowed or applied under this section shall be repaid or replaced within such period, not exceeding fifty years, from the end of the emergency period, as the Board of Agriculture and Fisheries may determine.

Power to extend period for repayment or replacement of money borrowed or applied.

2. It shall be lawful for the Board of Agriculture and Fisheries at any time before the end of the emergency period, upon the application of the University or a College, in any case where the Board determine that it is expedient owing to circumstances attributable directly or indirectly to the present war to do so, and where in the case of money borrowed the lender consents—

(*a*) to extend the period within which the outstanding part of any money borrowed, or purchase or other capital money applied, before the passing of this Act under any of the Universities or College Estates Acts, 1858 to 1898, is required to be repaid or replaced, by such period not exceeding ten years as the Board may determine;

(*b*) to suspend the obligation to make such repayment or replacement for such period not extending beyond one calendar year from the end of the emergency period as the Board may determine, with a corresponding extension of the period of repayment or replacement.

Application of Part I.

3. This Part of this Act shall apply only to the Universities and Colleges to which the Universities and College Estates Acts, 1858 to 1898, apply, and references in those Acts to any specific provisions shall be read as references to those provisions as amended by this Part of this Act.

Part II.

Power of Universities of Oxford and Cambridge and Colleges therein to make Emergency Statutes.

Power to make emergency statutes. 40 & 41 Vict. c. 48.

4.—(1) Notwithstanding anything in the Universities of Oxford and Cambridge Act, 1877, or any other enactment, it shall be lawful for the University of Oxford or the University of Cambridge (which Universities are hereinafter severally referred to as the University) or any College in the University to make statutes for the purposes and in the manner and subject to the provisions mentioned in this Part of this Act, and a statute made under this Part of this Act is hereinafter referred to as an emergency statute.

(2) Every emergency statute made by the University shall be binding on the University and on every College which has consented thereto, and every emergency statute made by a College shall be binding on the College and on the University if it has consented thereto, and every emergency statute shall be effectual notwithstanding any instrument of foundation, or any Act of Parliament, Order in Council, decree, order, statute, or other instrument or thing constituting wholly or in part an instrument of foundation, or confirming or varying a foundation or endowment, or otherwise regulating the University or a College.

(3) Any emergency statute made before the thirty-first day of December nineteen hundred and fifteen may, if so expressed, have retrospective effect so as to relate back to any date not earlier than the fourth day of August nineteen hundred and fourteen.

Purposes for which emergency statutes may be made.

5. The purposes for which provision may be made by an emergency statute shall be the following:—

(*a*) For postponing until any date not later than the end of the emergency period the election or admission to any fellowship, scholarship, prize, or other office or emolument in the University or in any College;

(*b*) For suspending until any date not later than the end of the emergency period any such fellowship, scholarship, prize, office, or emolument as may be or may become vacant;

(*c*) For the application for any purpose relative to the University or a College of any moneys which may be undisposed of by reason of any such postponement or suspension as aforesaid;

(*d*) For postponing until any date not later than the end of the emergency period the election to any professorship or readership to which no election has ever been made;

(*e*) For suspending or modifying in the interests of the holder thereof until any date not later than the end of the emergency period any conditions as to residence, duties, or otherwise affecting the tenure or emoluments of any fellowship, scholarship, prize, or other office in the University or a College;

(*f*) For suspending or modifying until any date not later than the expiration of one year after the end of the emergency period any provision relating to the age or university standing at which any person is eligible as a candidate for any scholarship, prize, or other emolument in the University or in any College;

(*g*) For enabling any College, until any date not later than the expiration of one year after the end of the emergency period, in the election to any scholarship, prize, or other emolument in the College, to take into account the fact that any person offering himself as a candidate has been engaged during the present war in the naval or military service of the Crown, or in some other service of the Crown connected with the present war or in any work abroad of the British Red Cross Society, the St. John Ambulance Association, or any body with similar objects, or has been made a prisoner of war;

(*h*) For extending the length of tenure of any scholarship, exhibition, prize, or other emolument, whether in the University or a College, in the case of any person who has been engaged during the present war in any such service or work, or who has been made a prisoner of war or detained by His Majesty's enemies in consequence of the present war;

(*i*) For making payments until any date not later than the end of the emergency period out of the corporate revenue or other fund applicable to the statutory purposes of a College to the tuition fund of the College;

(*j*) For suspending payments until any date not later than the end of the emergency period from the corporate

revenue or other fund applicable to the statutory purposes of a College to any pension or other fund of the College;

(*k*) For making payments until any date not later than the end of the emergency period out of the income of any fund applicable to any statutory purposes of a College, so far as the income is not required for the purposes of that fund, to any fund applicable to some other statutory purposes of the College;

(*l*) For making payments until any date not later than the end of the emergency period out of the corporate revenue or other fund applicable to the statutory purposes of a College for the relief and assistance of members of the College or other members of the University engaged during the present war in the naval or military service of the Crown, or in some other service of the Crown connected with the present war or in any work abroad of the British Red Cross Society, the St. John Ambulance Association, or any body with similar objects;

(*m*) For applying to the general purposes of the University of Oxford so much of the Faculties Fund mentioned in sectio xii of titulus v of the statutes of the University of Oxford as may not in any year before the end of the emergency period have been applied to any of the purposes mentioned in clause three of the said sectio xii;

(*n*) For making such provisions of a similar nature to any of the foregoing as may seem to be required to prevent or mitigate loss or injustice, and to meet exigencies due to circumstances attributable directly or indirectly to the present war;

and an emergency statute may contain any incidental, supplemental or consequential provisions which may appear necessary or expedient for effecting any such purposes as aforesaid:

Provided that an emergency statute shall not authorise or direct any payment out of capital money subject to the provisions of the Universities and College Estates Acts, 1858 to 1898, or affect any obligation arising under those Acts to make any repayment or replacement.

Manner of making emergency statutes.

6. An emergency statute shall be made in the manner in which statutes may now lawfully be made for the University or a College, subject, in the case of an emergency statute made by the University, to the consent of a College affected thereby, and subject, in the case of an emergency statute made by a College, to the consent of the University if affected thereby, in any case where such consent is required under section fifty-three or section fifty-four of the Universities of Oxford and Cambridge Act, 1877, but shall take effect notwithstanding that

the statute after being made has not been submitted to His Majesty in Council or otherwise proceeded on as provided by the Universities of Oxford and Cambridge Act, 1877, or by any other Act, and has not been approved by His Majesty in Council:

Provided that an emergency statute made by a College—

(*a*) shall not take effect unless and until it has been approved by the visitor of the College; and

(*b*) shall, within fourteen days of the date on which it is made by the College, be sent for submission to the Council of the University, and if it is a statute to which the consent of the University is not necessary, shall not take effect until thirty days during full term have elapsed after the statute has been so submitted, unless in the meantime the Council has by resolution declared that the statute is not one which requires the consent of the University, which resolution shall be conclusive for all purposes.

Interpretation.

7. In this Part of this Act, unless the context otherwise requires,—

"Council of the University" means as respects the University of Oxford the Hebdomadal Council, and as respects the University of Cambridge the Council of the Senate:

"College" means a College in the University, and includes the Cathedral or House of Christ Church in Oxford, and also includes Keble College, Oxford, and Selwyn College, Cambridge:

"Governing Body" has the same meaning as in the Universities of Oxford and Cambridge Act, 1877, and in relation to Keble College, Oxford, and Selwyn College, Cambridge, means the Council of Keble College and the Council of Selwyn College respectively:

"Fellow" and "fellowship" include student and studentship of Christ Church:

"Scholar" includes demy, Bible clerk, postmaster, and student (not being a student of Christ Church), senior scholar and senior demy, exhibitioner and sizar; and "scholarship" has a corresponding meaning.

PART III.

GENERAL.

Short title and construction.

8.—(1) This Act may be cited as the Universities and Colleges (Emergency Powers) Act, 1915.

(2) For the purposes of this Act the expression "the end of the emergency period" means the end of the next calendar year after that in which the present war terminates.

CHAPTER 23.

An Act to authorise the suspension of sentences of penal servitude and imprisonment passed on soldiers engaged in active service beyond the seas during the present war. [16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to suspend sentences of penal servitude or imprisonment.

1.—(1) Where a soldier employed on active service beyond the seas during the present war is sentenced to penal servitude or imprisonment, the confirming authority to whom the sentence is submitted for confirmation may, when confirming the sentence, direct that the soldier be not committed to prison until the orders of a superior military authority have been obtained.

(2) A superior military authority may in the case of any such soldier so sentenced—

(*a*) direct that a committal to prison shall not be issued until his orders have been obtained;

(*b*) suspend the sentence whether or not the soldier has already been committed to prison.

(3) Where a sentence of penal servitude or imprisonment is suspended under this section before the soldier has been committed to prison, the soldier if in custody shall be released, and, notwithstanding anything in the Army Act, the sentence shall not begin to run until the soldier is committed to prison under that sentence.

(4) Where a sentence of penal servitude or of imprisonment is suspended under this section after the soldier has been committed to prison he shall be discharged and the currency of the sentence shall be suspended until he is again committed to prison under the same sentence.

(5) Where a sentence has been suspended under this section the case may at any time, and shall at intervals of not less than three months, be reconsidered by a competent military authority, and if on any such reconsideration it appears to the competent military authority that the conduct of the soldier since his conviction has been such as to justify a remission of the sentence he shall remit it.

(6) A superior military authority may at any time whilst a sentence is suspended under this section order that the soldier be committed to prison, and thereupon the sentence shall cease to be suspended.

(7) Where a soldier whilst a sentence on him is so suspended is sentenced to penal servitude or imprisonment for any other offence, then, if that sentence is also suspended under this section, the authority ordering the suspension may direct that

the two sentences shall run either concurrently or consecutively, so, however, that the aggregate term of imprisonment served under two or more sentences of imprisonment shall not exceed two consecutive years; and where the sentence for such other offence is a sentence of penal servitude, then, whether or not that sentence is suspended, any previous sentence of imprisonment which has been suspended shall be avoided.

(8) The powers conferred by this section shall be in addition to and not in derogation of any powers as to the mitigation, remission, commutation, or suspension of sentences conferred by the Army Act, and a superior authority under this Act shall as respects soldiers so employed as aforesaid be an authority having power to mitigate, remit, or commute sentences of penal servitude or imprisonment under subsection (2) of section fifty-seven of the Army Act.

(9) In this Act—

The expression "superior military authority" means the officer commanding in chief of any force employed on active service beyond the seas, or any general officer commanding an army comprised in that force;

The expression "competent military authority" means a superior military authority, or any general or other officer not below the rank of field officer duly authorised by a superior military authority.

Short title and construction.

2. This Act may be cited as the Army (Suspension of Sentences) Act, 1915, and shall be construed as one with the Army Act.

CHAPTER 24.

An Act to provide for the grant of pensions and other allowances to certain persons in respect of disablement due to causes arising out of the operations of the present war, whilst they are employed afloat in connexion with the telegraph and postal services, and to their dependants, and for purposes connected therewith.

[16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision of pensions and other allowances to

1.—(1) His Majesty may by Order in Council frame a scheme as to the pension and grants, and other allowances in the nature thereof, to be paid to persons in respect of

disablement suffered by them and attributable to causes arising out of the operations of the present war—

persons disabled in connexion with the laying and repairing of submarine cables, &c. during the present war.

(*a*) whilst they are employed afloat by or under the Postmaster-General, or in pursuance of any agreement made by the Postmaster-General with other persons, in connexion with the laying, installing, repairing, and operating of submarine cables and telegraphic (including wireless) apparatus; or

(*b*) whilst they are being carried afloat to or from any place where they are about to be or have been employed in connexion with such purposes; or

(*c*) whilst they are employed afloat by the Postmaster-General on duties in connexion with the conveyance or sorting of letters and parcels;

and in the case of their death to their widows and other dependants.

(2) The Order shall specify the persons to whom the Order applies and the conditions under which it becomes applicable, and may include persons not in the direct employment of the Postmaster-General.

(3) A person to whom any such Order in Council applies shall not, nor in the case of his death shall his widow or other dependants or his personal representatives, in respect of any disablement suffered by him to which the Order in Council applies, be entitled to any compensation under the Workmen's Compensation Act, 1906, or to any compensation or damages at common law or under the Employers' Liability Act, 1880, or any other statute, or to any gratuity or any superannuation or other allowance under the Superannuation Acts, 1834 to 1914, except so far as the Order in Council otherwise provides.

6 Edw. 7. c. 58

43 & 44 Vict. c. 42.

(4) All pensions, grants, and other allowances under this Act shall be paid out of moneys provided by Parliament.

(5) An Order in Council under this Act may provide that the Order shall have effect as from the third day of August nineteen hundred and fourteen, and any such Order in Council may be revoked or varied by a subsequent Order.

(6) For the purposes of this section "disablement" means disablement by personal injury, or by sickness; but disablement shall not be treated as attributable to causes arising out of the operations of the present war by reason only that the employment in which the disabled person was, or was about to be, or had been, engaged was employment for purposes connected with the present war.

2. This Act may be cited as the Injuries in War (Compensation) Act, 1915.

Short title.

CHAPTER 25.

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army.

[16th March 1915.]

WHEREAS the raising or keeping of a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by His Majesty and this present Parliament that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of His Majesty's Crown, and that the whole number of such forces should consist of three million including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within His Majesty's Indian possessions:

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in His Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of His Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm, by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet, nevertheless, it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law, in their duty, that an exact discipline be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert His Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

44 & 45 Vict. c. 58.

And whereas the Army Act will expire in the year one thousand nine hundred and fifteen on the following days:—

(*a*) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of July:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Army (Annual) Act, 1915. Short title.

2.—(1) The Army Act shall be and remain in force during the periods herein-after mentioned, and no longer, unless otherwise provided by Parliament (that is to say):— Army Act to be in force for specified times.

(*a*) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand nine hundred and fifteen to the thirtieth day of April one thousand nine hundred and sixteen, both inclusive; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of July one thousand nine hundred and fifteen to the thirty-first day of July one thousand nine hundred and sixteen, both inclusive.

(2) The Army Act, while in force, shall apply to persons subject to military law, whether within or without His Majesty's dominions.

(3) A person subject to military law shall not be exempted from the provisions of the Army Act by reason only that the number of the forces for the time being in the service of His Majesty, exclusive of the marine forces, is either greater or less than the number herein-before mentioned.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act the prices specified in the Schedule to this Act. Prices in respect of billeting.

SCHEDULE.

Section 3.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where meals furnished.	Sixpence per night.
Breakfast as specified in Part I. of the Second Schedule to the Army Act.	Fivepence each.
Dinner as so specified - - - - - -	One shilling and one penny each.
Supper as so specified - - - - - -	Threepence each.
Where no meals furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Sixpence per day.
Stable room and ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	Two shillings per day.
Stable room without forage - - - -	Sixpence per day.
Lodging and attendance for officer - - -	Two shillings per night.

Note.—An officer shall pay for his food.

CHAPTER 26.

An Act to amend the Army Act. [16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of s. 83 (1) of Army Act.

1.—(1) The limitation on the time within which a soldier of the Regular Forces enlisted for general service is liable to be transferred from the corps to which he was originally appointed to another corps of the same arm or branch of the service shall not apply whilst a Proclamation calling out the Army Reserve on permanent service is in force, and accordingly in subsection (1) of section eighty-three of the Army Act after the words "within three months after the date of his attestation" there shall be inserted the words "or, at any time whilst a Proclamation "ordering the Army Reserve to be called out on permanent "service is in force."

(2) This section shall not affect any man enlisted before the fourth day of August nineteen hundred and fourteen.

Amendment of s. 115 of the Army Act.

2.—(1) For subsection (4) of section one hundred and fifteen of the Army Act, which relates to the impressment of carriages, animals, and other things in the case of emergency, the following subsection shall be substituted:—

(4) The Army Council shall cause due payment to be made for carriages, animals, vessels, and aircraft furnished in pursuance of this section, and if any difference arises respecting the amount of payment for any carriage, animal, vessel, or aircraft the amount shall be such as may be fixed by a certificate of a county court judge having jurisdiction in any place in which such carriage, animal, vessel, or aircraft was furnished or through which it travelled in pursuance of the requisition; and for the purpose of fixing such amount the provisions set out in the Sixth Schedule to this Act shall have effect.

Where a sum has been paid or tendered by or on behalf of the Army Council under this subsection, that sum shall be deemed to be the amount due, unless within three weeks from the date of payment or tender an application is made to a county court judge for his certificate.

(2) After the Fifth Schedule to the Army Act the Schedule to this Act shall be inserted as the Sixth Schedule.

(3) This section shall apply whether the article requisitioned was requisitioned before or after the passing of this Act

Provided that in its application to articles requisitioned before the passing of this Act a reference to three weeks from the passing of this Act shall be substituted for the reference to three weeks from the date of payment or tender.

Amendment of s. 183 (2) of Army Act.

3. The power of reducing non-commissioned officers to a lower grade or to the ranks conferred on the Army Council by paragraph (2) of section one hundred and eighty-three of the Army Act, may on active service be delegated to any general officer whom the Army Council may appoint for the purpose, and accordingly in that paragraph, after the words "and any general officer he" there shall be inserted the words "or the Army Council."

Relations between military and naval forces acting together.

4. The following section shall be inserted in the Army Act after section one hundred and eighty-four:—

184A.—(1) Where an officer or petty officer in the Navy is a member of a body of His Majesty's naval forces acting with or is attached to any body of His Majesty's military forces under such conditions as may be prescribed by regulations made by the Admiralty and Army Council, then, for the purposes of command and discipline and for the purposes of the provisions of this Act relating to superior officers, he shall, in relation to such body of His Majesty's military forces as aforesaid, be treated and have all such powers (other than powers of punishment) as if he were a military officer or non-commissioned officer as the case may be.

(2) Where any officer or soldier is a member of a body of His Majesty's military forces acting with or is attached to any body of His Majesty's naval forces under such conditions as may be so prescribed as aforesaid, then, for the purposes of command and discipline and for the purposes of the provisions of this Act relating to superior officers, the officers and petty officers of such naval body shall, in relation to him, be treated and have all such powers (other than powers of punishment) as if they were military officers or non-commissioned officers.

(3) The relative rank of naval and military officers, petty officers, and non-commissioned officers shall, for the purposes of this section, be such as is provided by the King's Regulations and Admiralty Instructions for the time being in force.

Short title.

5. This Act may be cited as the Army (Amendment) Act, 1915.

Section 2.

SCHEDULE.

PROVISIONS AS TO DETERMINING AMOUNT TO BE PAID FOR ARTICLES REQUISITIONED.

1. Subject to the provisions of this schedule an application to a county court judge for a certificate shall be made in manner provided by rules of court, and shall be heard by the judge, without a jury, and his decision shall not be subject to appeal.

2. Subject to the provisions of this schedule, and to rules of court, the judge shall on such application act in accordance with the law regulating, and shall have the powers attaching to, the exercise of his ordinary jurisdiction.

3. The amount fixed by the certificate shall be such amount as appears to the county court judge to be the fair market value of the article requisitioned on the day on which it was required to be furnished as between a willing buyer and a willing seller, and where the owner of a carriage or horse has been required to deliver it at a distance from his premises shall include such sum as the judge may consider reasonable to cover the cost of such delivery.

4. No court fees shall be payable on the application, but the judge may, if he thinks fit, order either party to pay such sum as he may consider proper by way of costs to the other party, which sum shall be added to or deducted from the amount fixed by the county court judge as the value of the article requisitioned, and the amount to be included in the certificate shall be adjusted accordingly.

5. If the amount already paid by the Army Council exceeds the amount specified in the certificate, the county court judge shall certify the amount of the excess and shall order the amount so certified to be paid to the Army Council, which order shall be enforceable in like manner as a judgment of a county court.

CHAPTER 27.

An Act to enable contributions to be made for the purpose of Part II. of the National Insurance Act, 1911, by workmen employed abroad in insured trades on work connected with or arising out of the present War.

[16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Contributions in respect of employment abroad in an insured trade. 1 & 2 Geo. 5. c. 55.

1. Where a workman during the continuance of the present war and a period of one year thereafter is or has been employed outside the United Kingdom in an insured trade within the meaning of Part II. of the National Insurance Act, 1911, on work connected with or arising out of the present war, and the

contributions, which would be payable in respect of that workman if he were employed in the United Kingdom, are or have been by agreement between the workman and his employer paid in the manner prescribed by that Part of that Act, those contributions shall be deemed to have been properly paid for the purposes of that Part of that Act, and the workman shall accordingly for those purposes be deemed to be employed in an insured trade.

Short title and construction.

2.—(1) This Act may be cited as the National Insurance (Part II. Amendment) Act, 1915, and shall be construed as one with Part II. of the National Insurance Act, 1911.

(2) This Act may be cited with the National Insurance Acts, 1911 to 1914.

CHAPTER 28.

An Act to make further and better provision with regard to the Naval Medical Compassionate Fund.

[16th March 1915.]

WHEREAS under an Order in Council dated the thirteenth day of August eighteen hundred and seventeen the Naval Medical Supplemental Fund Society was established for the relief of widows of medical officers in the Royal Navy:

And whereas it was provided in that Order that if any bequest or donations should be made in favour of the society, the principal amount thereof should be reserved separately as a compassionate fund, and that the interest should be distributed, at the discretion of the President and Court of Directors of the society, among the orphans of deceased members thereof, and that each member of the society, on his promotion or on his appointment to any permanent civil situation, should contribute to the compassionate fund a fee equal to one week's pay:

And whereas in pursuance of the Naval Medical Supplemental Fund Society Winding-Up Act, 1861, the society has been wound up, but that Act provided that notwithstanding the winding-up of the society the above-mentioned compassionate fund should continue, but on a voluntary instead of a compulsory basis, and enacted that the interest thereof should be distributed among the orphans of those members of the society who had died and the orphans of those naval medical officers who had theretofore contributed or who should thereafter voluntarily contribute any such fee as aforesaid to the compassionate fund, but that no person should thereafter be compelled or liable to pay a fee to the compassionate fund: 24 & 25 Vict. c. 108.

And whereas the said Act made no provision for the future management of the said fund, but the said fund has in fact remained under the management of a body consisting of the

Secretary to the Admiralty, the Medical Director-General of the Navy, and certain medical naval officers who have contributed to the fund, and now consists of the sum of ten thousand six hundred pounds two and a half per centum consolidated stock:

And whereas it is expedient to make provision for the management of the said fund and to alter the terms of contribution thereto and the nature of the benefits therefrom in manner hereinafter appearing:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power by Order in Council to regulate fund.

1.—(1) His Majesty may by Order in Council provide—

(*a*) for constituting new trustees of the said fund and for vesting the fund in such trustees;

(*b*) for filling vacancies in the office of trustee and for vesting the fund in the trustees for the time being without conveyance or assignment;

(*c*) for vesting the management of the fund, the determination of the persons to receive benefits therefrom, and the distribution thereof amongst such persons, in such body as may be determined by the Order, being a body representative of the naval medical service, either with or without the addition of representatives of the Admiralty;

(*d*) for enabling all persons who are or who may hereafter become naval medical officers, or who may at any time have been naval medical officers, to become subscribers to the fund;

(*e*) for determining the terms of subscription and the manner and time of payment thereof;

(*f*) for making eligible to benefits from the fund the widows and orphans of all persons who at the time of the making of the Order may have contributed to the fund, and, subject to such conditions as may be prescribed by the Order, of persons who may after that date have become subscribers to the fund;

and the Order may contain any incidental, consequential, or supplemental provisions which may appear to be necessary or proper for the purposes of the Order.

(2) An Order in Council under this Act may be altered or revoked by a subsequent Order in Council.

(3) The Acts mentioned in the Schedule to this Act are hereby repealed.

Short title.

2. This Act may be cited as the Naval Medical Compassionate Fund Act, 1915.

SCHEDULE.

Section 1 (3).

ACTS REPEALED.

An Act to authorise for Ten Years, and to the end of the then next Session of Parliament, the Regulation of the Annuities and Premiums of the Naval Medical Supplemental Fund Society	(11 & 12 Vict. c. 58).
An Act to continue the Act for the Regulation of the Annuities and Premiums of the Naval Medical Supplemental Fund Society	(22 Vict. c. 28).
The Naval Medical Supplemental Fund Society Winding-Up Act, 1861	(24 & 25 Vict. c. 108).
An Act to amend the Naval Medical Supplemental Fund Society Winding-Up Act, 1861	(26 & 27 Vict. c. 111).

CHAPTER 29.

An Act to amend Part I. of the National Insurance Act, 1911. [16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Reduction of benefits in the case of persons entitled to pensions in respect of total disablement. 1 & 2 Geo. 5. c. 55.

1.—(1) When upon his discharge there has, whether before or after the passing of this Act, been granted to any person to whom section forty-six of the National Insurance Act, 1911, applied at the time of his discharge, a pension in respect of total disablement suffered in consequence of the present war, the amount of any sickness or disablement benefit to which he may be entitled in respect of his insurance under the said Act shall as from such date as may be prescribed be reduced, so long as he continues in receipt of such pension, by five shillings a week, notwithstanding anything in the said Act to the contrary.

(2) The society, committee, or other body by which the sickness and disablement benefits of any such person are administered may, pending the settlement of his claim for pension, pay him benefit at the unreduced rate, and where benefit at the unreduced rate has been paid pending such settlement or has been paid between the prescribed date and the passing of this Act the amount of the difference between the benefit at the unreduced rate and at the reduced rate for such period shall be treated as an advance, and shall, without prejudice to any other method of recovery, be recoverable by deductions

from or suspension of any benefits which may subsequently become payable to the person in question, or may, if the Admiralty or Army Council think fit, be repaid by them out of any arrears in their hands of the pension due to that person.

Extension of s. 11 of principal Act to certain pensions, &c. 4 & 5 Geo. 5. c. 30. 5 Geo. 5. c. 18. 5 Geo. 5. c. 24.

2. Where any pension grant or allowance has been granted to any insured person in pursuance of the Injuries in War (Compensation) Act, 1914, or the Injuries in War (Compensation) Act, 1914 (Session 2), or the Injuries in War (Compensation) Act, 1915, or any similar Act which may hereafter be passed and with respect to which regulations made by the Insurance Commissioners with the consent of the Treasury provide that this section shall apply, then as from the prescribed date such pension, grant or allowance shall, for the purposes of section eleven of the National Insurance Act, 1911, be treated as if it were compensation under the Workmen's Compensation Act, 1906.

6 Edw. 7. c. 58.

Amendment of s. 46 of principal Act.

3.—(1) In paragraph (*b*) of subsection (2) of section forty-six of the National Insurance Act, 1911, which relates to the insurance of persons in the naval and military service of the Crown, for the words "who within six months" there shall be substituted the words "who within the prescribed period, not being more than six months."

(2) For paragraph (iv) of the same subsection the following paragraph shall be substituted:—

"(iv) There shall be credited to the approved society of which he is a member a sum equal to fourpence for each weekly contribution paid, and an equal sum shall be treated as having been expended on benefits, and the proper proportion thereof shall accordingly be paid out of moneys provided by Parliament."

(3) For paragraph (*b*) of subsection (3) of the same section, the following paragraph shall be substituted:—

"(*b*) There shall be credited to the Navy and Army Insurance Fund a sum equal to fourpence for each weekly contribution paid in respect of every seaman, marine, or soldier who has not joined an approved society, and an equal sum shall be treated as having been expended on benefits, and the proper proportion thereof shall accordingly be paid out of moneys provided by Parliament."

(4) Subsections (2) and (3) of this section shall be deemed to have had effect as from the sixth day of July nineteen hundred and fourteen, and such financial adjustments as may consequently be necessary shall be made by the Insurance Commissioners.

Short title and construction.

4.—(1) This Act may be cited as the National Insurance (Part I. Amendment) Act, 1915; and the National Insurance Acts, 1911 to 1914, the National Insurance (Part II. Amendment)

5 Geo. 5. c. 27.

Act, 1915, and this Act may be cited together as the National Insurance Acts, 1911 to 1915.

(2) This Act shall be construed as one with Part I. of the National Insurance Act, 1911.

. . . . . .

CHAPTER 30.

An Act to amend the Naval Discipline Act.

[16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Punishment for striking, &c., superior officer.

1. A sentence of death shall not be passed on a person subject to the Naval Discipline Act for striking, or with any weapon attempting to strike, or drawing or lifting up any weapon against, his superior officer, and accordingly for section sixteen of that Act the following section shall be substituted:—

"Every person subject to this Act who shall strike or attempt to strike, or draw or lift up any weapon against, or use or attempt to use any violence against, his superior officer, whether or not such superior officer is in the execution of his office, shall be punished with penal servitude or such other punishment as is herein-after mentioned."

Punishment for absence without leave in time of war.

2. The term of imprisonment or detention which may be imposed for absence without leave in time of war may exceed ten weeks, and accordingly in section twenty-three of the Naval Discipline Act, after the words "shall be liable" there shall be inserted the words "in time of war to imprisonment or such "other punishment as is herein-after mentioned, and at other "times."

Offences punishable under the Act.

3. In section forty-six of the Naval Discipline Act, which defines the cases in which offences are triable by court martial, after the words "in any arsenal, barrack or hospital belonging to Her Majesty" there shall be inserted the words "or in any "other premises held by or on behalf of the Crown for naval "or military purposes, or in any canteen or sailors' home or "any place of recreation placed at the disposal of or used by "officers or men of His Majesty's Navy which may be prescribed "by the Admiralty."

Provisions where offender has ceased to be subject to the Act.

4. After section forty-six of the Naval Discipline Act there shall be inserted the following section:—

"**46A.**—(1) Where an offence under this Act has been committed by any person while subject to this Act, such

person may be taken into and kept in custody and tried and punished for such offence although he has ceased to be subject to this Act in like manner as he might have been taken into and kept in custody, tried, or punished if he had continued so subject:

"Provided that where a person has since the commission of an offence ceased to be subject to this Act, he shall not be tried for such offence, except in case of offences of mutiny or desertion, unless proceedings against him are instituted within three months after he has ceased to be subject to this Act, but this section shall not affect the jurisdiction of a civil court in the case of any offence triable by such court as well as by court martial.

"(2) Where a person subject to this Act is sentenced under this Act to penal servitude, imprisonment, or detention, this Act shall apply to him during the term of his sentence notwithstanding that he is discharged or dismissed from His Majesty's service, or has otherwise ceased to be subject to this Act, and he may be kept in custody, removed, imprisoned, made to undergo detention and punished accordingly, as if he had continued to be subject to this Act."

Power to arrest offenders.

5. In section fifty of the Naval Discipline Act, which relates to the arrest of offenders, after the words "or the senior officer "present at a port," there shall be inserted the words "or an "officer having by virtue of subsection (3) of section fifty-six "of this Act power to try offences."

Power to inflict dismissal in addition to imprisonment.

6. A sentence of imprisonment may be accompanied by a sentence that the prisoner be dismissed from His Majesty's service and accordingly at the end of paragraph (7) of section fifty-three of the Naval Discipline Act there shall be inserted the words "and may be accompanied with a sentence of dismissal from His Majesty's service."

Officers having power to try offences.

7.—(1) In paragraph (*c*) of subsection (3) of section fifty-six of the Naval Discipline Act, which as respects certain persons confers on certain officers the powers of an officer commanding a ship with respect to the trial of offences, for the words "on shore on detached service" there shall be substituted the words "on detached service either on shore or otherwise," and in the same paragraph the words "on shore" where they last occur shall be repealed.

(2) At the end of the same subsection the following paragraph shall be inserted:—

"(*d*) as respects persons subject to this Act quartered in naval barracks, the officer in command of those barracks."

Place for holding courts martial.

8. At the end of section fifty-nine of the Naval Discipline Act, which requires courts martial to be held on board ship, the following words shall be added, "unless the Admiralty or

" the officer who ordered the court martial in any particular case " for reasons to be recorded on the proceedings otherwise direct, " in which case the court martial shall be held at a port at such " convenient place on shore as the Admiralty or the officer who " ordered the court martial may direct."

Evidence of rank, &c., of officers.

9. The following section shall be inserted after section sixty-nine of the Naval Discipline Act :—

"**69A.** A Navy List or Gazette purporting to be published by authority and either to be printed by a Government printer or to be issued by His Majesty's Stationery Office, shall be evidence of the status and rank of the officers therein mentioned and of any appointment held by such officers until the contrary is proved."

Consecutive sentences of imprisonment.

10. In section seventy-three of the Naval Discipline Act, which relates to the power to impose consecutive sentences of imprisonment, for the words "passed upon him by a court " martial for a former offence" there shall be substituted the words "passed upon him under this Act for a former offence."

Power to suspend sentences.

11. After section seventy-four of the Naval Discipline Act, the following section shall be inserted :—

"**74A.** Where a person has been sentenced to penal servitude or imprisonment or detention the Admiralty or officer who by virtue of subsection (3) of section seventy-four of this Act has power to issue an order of committal (herein-after in this section referred to as 'the committing authority') may, in lieu of issuing such an order, order that the sentence be suspended until an order of committal is issued, and in such case—

"(*a*) Notwithstanding anything in this Act, the term of the sentence shall not be reckoned as commencing until an order of committal is issued ;

"(*b*) The case may at any time, and shall at intervals of not less than three months, be reconsidered by the Admiralty or committing authority, and if on any such reconsideration it appears to the Admiralty or committing authority that the conduct of the offender since his conviction has been such as to justify a remission of the sentence the Admiralty or committing authority shall remit the whole or any part of it ;

"(*c*) The Admiralty or committing authority may at any time whilst the sentence is suspended issue an order of committal and thereupon the sentence shall cease to be suspended ;

"(*d*) Where a person subject to this Act, whilst a sentence on him is so suspended, is sentenced to penal servitude or imprisonment or detention for any other offence then, if he is at any time committed either under the suspended sentence or under any such subsequent

sentence, and whether or not any such subsequent sentence has also been suspended, the committing authority may direct that the two sentences shall run either concurrently or consecutively, so, however, as not to cause a person to undergo imprisonment or detention for a period exceeding the aggregate of two consecutive years, and where the sentence for such other offence is a sentence of penal servitude, then, whether or not that sentence is suspended, any previous sentence of imprisonment or detention which has been suspended shall be avoided."

Change of place of confinement.

12. In section seventy-five of the Naval Discipline Act which relates to the change of the place of confinement, for the words "any such commander in chief," there shall be substituted "the commander in chief or senior naval officer present."

Relations between military and naval forces acting together.

13. The following section shall be inserted in the Naval Discipline Act after section ninety:—

"**90A.**—(1) Where an officer or non-commissioned officer, not below the rank of sergeant, is a member of a body of His Majesty's military forces acting with, or is attached to, any body of His Majesty's naval forces under such conditions as may be prescribed by regulations made by the Admiralty and Army Council, then for the purposes of command and discipline and for the purposes of the provisions of this Act relating to superior officers, he shall, in relation to such body of His Majesty's naval forces as aforesaid, be treated, and may exercise all such powers (other than powers of punishment), as if he were a naval officer or petty officer, as the case may be.

"(2) Where any naval officer or seaman is a member of a body of His Majesty's naval forces acting with, or is attached to, any body of His Majesty's military forces under such conditions as may be so prescribed as aforesaid, then, for the purposes of command and discipline and for the purposes of the provisions of this Act relating to superior officers, the officers and non-commissioned officers, not below the rank of sergeant, of such military body shall, in relation to him, be treated, and may exercise all such powers (other than powers of punishment), as if they were naval officers and petty officers.

"(3) The relative rank of naval and military officers, petty officers, and non-commissioned officers shall, for the purposes of this section, be such as is provided by the King's Regulations and Admiralty Instructions for the time being in force."

Discipline on hired ships in time of war.

14. At the end of paragraph (5) of section ninety of the Naval Discipline Act, which relates to discipline upon hired ships in His Majesty's service in time of war, there shall be inserted the words "Provided that in the absence of the officer

" commanding such hired vessel, the officer commanding the " ship or vessel or station in which such person may for the " time being be held in custody shall have such power as " aforesaid."

Revival of parts of Naval Discipline Act.

15. So much of the schedule to the Statute Law Revision Act, 1893 as relates to the preamble to, and part of section eighty-six of, the Naval Discipline Act shall cease to have and shall be deemed never to have had effect.

Printing and construction of Naval Discipline Act.

16.—(1) Every enactment and word which is directed by this Act to be substituted for or added to any portion of the Naval Discipline Act shall form part of that Act in the place assigned to it by this Act, and the Naval Discipline Act, and all Acts which refer thereto, shall after the commencement of this Act be construed as if that enactment or word had been originally enacted in the Naval Discipline Act in the place so assigned, and, where it is substituted for another enactment or word, had been so enacted in lieu of that enactment or word, and as if the Naval Discipline Act had been enacted with the omission of any enactment or word which is directed by this Act to be omitted from that Act, and the expression " this Act " in the Naval Discipline Act shall be construed accordingly.

(2) A copy of the Naval Discipline Act with every such enactment and word inserted in the place so assigned, and with the omission of any portion of that Act directed by this Act to be omitted from that Act, and with the substitution of references to His Majesty for references to Her Majesty shall be prepared and certified by the Clerk of the Parliaments and deposited with the rolls of Parliament, and His Majesty's printers shall print in accordance with the copy so certified all copies of the Naval Discipline Act which are printed after the commencement of this Act.

Short title.

17. This Act may be cited as the Naval Discipline Act, 1915.

CHAPTER 31.

An Act to amend the enactments relating to Customs during the present War. [16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Provision with respect to shipment as stores of prohibited or restricted goods.

1.—(1) Where any goods are prohibited either to be exported or carried coastwise, or any goods are prohibited to be exported to any named country or place, it shall not be lawful for any person to ship as stores on any vessel any of the goods to which the prohibition extends, except such quantity of any of those

goods as may be allowed to be so shipped by the proper officer of Customs and Excise as being reasonably required to be shipped at the port of departure for use on board the vessel during the voyage on which it is about to depart.

(2) If any person ships as stores any goods, or brings any goods to any quay or other place with intent to ship the same as stores, in contravention of this section, the goods shall be forfeited and he shall for each offence be liable to a penalty of one hundred pounds.

Pre-entry of ship's stores. 39 & 40 Vict. c. 36.

2. The power of the Commissioners of Customs and Excise under section one hundred and thirty-nine of the Customs Consolidation Act, 1876, by order to require due entry and clearance before shipment shall apply to goods intended for shipment as stores on any ship being goods subject to any prohibition or restriction outwards, as it applies to goods intended for exportation or carriage coastwise.

Provision as to coasting ships departing without clearance. 41 & 42 Vict. c. 42.

3. Where the master of any coasting ship has rendered himself liable to a penalty under section six of the Customs and Inland Revenue Act, 1878, by departing without due clearance of his ship, the Commissioners of Customs and Excise may, for the purpose of enforcing the said penalty, require the deposit in the hands of the collector of Customs and Excise at any port where the ship is found of such sum not exceeding one hundred pounds as they think fit and in default of payment of the sum so required to be deposited the ship may be detained.

Provision as to exportation of goods under licence.

4. Where a licence to export any goods, being goods subject to any prohibition or restriction outwards, authorises the exportation thereof to a particular person or place or to a particular person at a particular place named in the licence, the name of the person or place, or both, as the case may be, shall be inserted in all invoices, bills of lading, manifests and other documents relating to the goods, and if this requirement is not complied with as respects any document the person by whom or on whose behalf the document is made out shall, if he is the exporter of the goods, be deemed to have exported the goods without a licence, and, if any other person, be liable to a penalty of one hundred pounds.

Provisions as to declarations as to ultimate destination of exported goods.

5.—(1) Where in pursuance of any order made by the Commissioners of Customs and Excise under section one hundred and thirty-nine of the Customs Consolidation Act, 1876, a person in the course of making entry before shipment makes a declaration as to the ultimate destination of any goods then, unless security has been given by bond, the exporter shall, if so required by the Commissioners of Customs and Excise, produce evidence to their satisfaction that those goods have not reached a destination in any territory which, under any Proclamation issued by His Majesty dealing with trading with the enemy for the time being in force, is or is treated as enemy country, and

if he fails to do so he shall be liable to a penalty of treble the value of the goods or one hundred pounds at the election of the Commissioners, unless he proves that they reached such destination without his consent or connivance, and that he took all reasonable steps to secure that the ultimate destination of the goods should be the destination mentioned in the declaration.

(2) If the Commissioners of Customs and Excise have reason to suspect that any such declaration as aforesaid is false in any material particular, the goods may be detained until the Commissioners are satisfied as to the truth of the declaration, and, failing such satisfaction, may be treated as if they were goods subject to a prohibition or restriction outwards.

Power to seize imported goods of enemy origin.

6. Where the Commissioners of Customs and Excise have reason to suspect that the country of origin of any goods imported into the United Kingdom is an enemy country within the meaning of the last preceding section, the goods may be seized as though they were goods enumerated and described in the table of prohibitions and restrictions inwards contained in section forty-two of the Customs Consolidation Act, 1876, and in any proceedings for the forfeiture and condemnation thereof the country of origin of such goods shall be deemed to be such an enemy country unless the contrary is proved.

Short title, construction, and duration.

7.—(1) This Act may be cited as the Customs (War Powers) Act, 1915, and shall be construed together with the Customs Consolidation Act, 1876, and any enactments amending that Act.

(2) This Act shall continue in force only during the continuance of the present war.

CHAPTER 32.

An Act to authorise the grant of certain pensions and other allowances in respect of Members of the Royal Irish Constabulary and Dublin Metropolitan Police who are Reservists or join the Naval or Military Forces and for other purposes incidental thereto.

[16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Pensions and allowances in respect of members of the Royal Irish Constabulary and

1.—(1) Where a constable of the Royal Irish Constabulary or Dublin Metropolitan Police belongs to the Naval Reserves or the Army Reserve and has, in pursuance of any Royal Proclamation, been called out, in the case of a constable belonging to the Naval Reserves, for service during war or any emergency, or in

Dublin Metropolitan Police who are reservists or join the naval or military forces.

the case of a constable belonging to the Army Reserve, on permanent service, the police authority may, with the approval of the Treasury, grant to or for the benefit of his wife and children or any of them, or in the case of an unmarried constable to or for the benefit of any person whom he is legally liable to maintain and towards whose support he has regularly contributed, an allowance of such amount and subject to such conditions and restrictions as they think equitable :

Provided that—

(*a*) any such allowance shall be granted for a limited period not exceeding one year and may be renewed for a further period, but shall not be continued after the police authority have received notice that the constable has ceased to be employed on naval or military service ;

(*b*) the aggregate amount of the weekly allowance granted in respect of a married constable together with the weekly amount of any separation or other allowance required to be paid out of naval or military funds in pursuance of any Royal Warrant and the weekly amount of any compulsory deductions from the constable's pay as a seaman or soldier shall not exceed the total weekly amount he was receiving from police funds on being called out ;

(*c*) the allowance granted in respect of an unmarried constable shall not exceed in the aggregate eight shillings a week.

(2) If the constable dies or is disabled whilst employed on naval or military service, the police authority may, with the approval of the Treasury, grant to his widow and children or to him pensions and allowances equal to one-half the amount payable out of naval or military funds in pursuance of any Royal Warrant, so, however, that the total amount receivable from the police authority when added to the amount payable from such funds as aforesaid shall not in any case exceed the maximum amount which could have been granted under the Constabulary and Police (Ireland) Act, 1883, as amended by any subsequent enactment, if the death or disablement had been occasioned by an injury received by the constable, without his own default, in the execution of his duty as a constable and not accidentally.

46 & 47 Vict. c. 14.

(3) If, with the consent of the police authority, any officer or constable of the Royal Irish Constabulary or any constable of the Dublin Metropolitan Police for the purposes of the present war enters, re-enters, enlists, re-enlists or receives a commission in any of His Majesty's naval or military forces, subsection (2) of section five of the Constabulary and Police (Ireland) Act, 1883, subsections (1) and (2) of section one of the Irish Police Constables (Naval and Military Service) Act, 1914, and the foregoing

4 & 5 Geo. 5. c. 84.

provisions of this section shall, subject to the necessary adaptations, apply to him in like manner as they apply to a constable belonging to the Naval Reserves or Army Reserve who has been called out for service during war or any emergency or on permanent service, as the case may be, with the modification that in the application of the foregoing provisions of this section to an officer of the Royal Irish Constabulary, the Constabulary (Ireland) Act, 1874, shall be substituted for the Constabulary and Police (Ireland) Act, 1883, and a sum fixed by the Treasury shall be substituted for eight shillings. 37 & 38 Vict. c. 80.

(4) This section applies in the case of officers and constables called out entering, re-entering, enlisting, re-enlisting, or receiving commissions, whether before or after the passing of this Act, and any pension, allowance, or gratuity granted, with the approval of the Treasury, to or in respect of any such officer or constable, in anticipation of the passing of this Act is hereby confirmed and shall be deemed to have been granted under or in pursuance of this Act.

(5) Any pensions, allowances, or gratuities, granted under or in pursuance of this Act shall, subject to the provisions of the Government of Ireland Act, 1914, be paid out of moneys provided by Parliament. 4 & 5 Geo. 5. c. 90.

(6) In this section the expression "police authority" means as respects the Royal Irish Constabulary, the Inspector-General, and as respects the Dublin Metropolitan Police, the Chief Commissioner.

(7) Subsection (3) of section one of the Irish Police Constables (Naval and Military Service) Act, 1914, is hereby repealed.

2. This Act may be cited as the Irish Police (Naval and Military Service) Act, 1915. Short title.

CHAPTER 33.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, and one thousand nine hundred and sixteen.

[16th March 1915.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your

Majesty the sums herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 37,223,440*l.* 13*s.* 9*d.* out of the Consolidated Fund for the service of the years ending 31st March 1914 and 1915.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the years ending on the thirty-first day of March one thousand nine hundred and fourteen and one thousand nine hundred and fifteen, the sum of thirty-seven million two hundred and twenty-three thousand four hundred and forty pounds thirteen shillings and ninepence.

Issue of 286,855,000*l.* out of the Consolidated Fund for the service of the year ending 31st March 1916.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and sixteen, the sum of two hundred and eighty-six million eight hundred and fifty-five thousand pounds.

Power for the Treasury to borrow.

3.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole three hundred and twenty-four million seventy-eight thousand four hundred and forty pounds thirteen shillings and ninepence.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March one thousand nine hundred and sixteen, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

4. This Act may be cited as the Consolidated Fund (No. 2) Act, 1915.

CHAPTER 34.

An Act to amend the Defence of the Realm Consolidation Act, 1914. [16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Right of British subject charged with offence to be tried by civil court. 5 Geo. 5. c. 8.

1.—(1) Any offence against any regulations made under the Defence of the Realm Consolidation Act, 1914, which is triable by court martial may, instead of being tried by a court martial, be tried by a civil court with a jury, and when so tried the offence shall be deemed to be a felony punishable with the like punishment as might have been inflicted if the offence had been tried by court martial.

(2) Where a person, being a British subject but not being a person subject to the Naval Discipline Act or to military law, is alleged to be guilty of an offence against any regulations made under the Defence of the Realm Consolidation Act, 1914, he shall be entitled, within six clear days from the time when the general nature of the charge is communicated to him, to claim to be tried by a civil court with a jury instead of being tried by court martial, and where such a claim is made in manner provided by regulations under the last-mentioned Act the offence shall not be tried by court martial:

Provided that this subsection shall not apply where the offence is tried before a court of summary jurisdiction:

Provided also that before the trial of any person to whom this section applies, and as soon as practicable after arrest, the general nature of the charge shall be communicated to him in writing and notice in writing shall at the same time be given, in a form provided by regulations under the said Act, of his rights under this section.

(3) In addition and without prejudice to any powers which a court may possess to order the exclusion of the public from any proceedings, if, in the course of the trial of a person for a felony under this section, application is made by the prosecution, in the interests of national safety, that all or any portion of the public should be excluded during any part of the hearing, the court may make an order to that effect, but the passing of sentence shall in any case take place in public.

22 & 23 Vict. c. 17.

(4) The Vexatious Indictments Act, 1859, as amended by any subsequent enactment shall apply to a felony under this section as if it were included among the offences mentioned in section one of that Act, but a felony under this section shall not be triable by a court of quarter sessions.

(5) For the purpose of the trial of a person for a felony under this section the offence shall be deemed to have been

committed either at the place in which the same actually was committed or in any place in the United Kingdom in which the offender may be found or to which he may be brought for the purpose of speedy trial.

(6) An indictment under this section shall not be deemed void or defective by reason that the facts or matters alleged in the indictment for the felony amount in law to treason; and if the facts or matters proved at the trial of any person indicted for any felony under this section amount in law to treason, the person shall not by reason thereof be entitled to be acquitted of such felony; but no person tried for such felony shall be afterwards prosecuted for treason upon the same facts.

(7) In the event of invasion or other special military emergency arising out of the present war, His Majesty may by Proclamation forthwith suspend the operation of this section, either generally or as respects any area specified in the Proclamation, without prejudice, however, to any proceedings under this section which may be then pending in any civil court.

(8) The expression "British subject" in this section includes a woman who has married an alien but who before the marriage was a British subject.

(9) In the application of this section to Scotland "a civil court with a jury" means the High Court of Justiciary, and subsection (4) shall not apply.

(10) This section shall apply in the case of offences committed and persons arrested before as well as after the passing of this Act.

Witnesses.

2. In Ireland a person charged with an offence against any regulations made under the Defence of the Realm Consolidation Act, 1914, before a court martial shall not, nor shall the wife or husband, as the case may be, of a person so charged, be a competent witness, whether the person so charged is charged severally or jointly with any other person.

Short title.

3. This Act may be cited as the Defence of the Realm (Amendment) Act, 1915.

CHAPTER 35.

An Act to provide further facilities for the marriage of officers, seamen, and marines borne on the books of any of His Majesty's ships during the continuance of the present war. [16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

Relaxation during the present war of the law as to the place where naval marriages may be solemnized.

1. Where, during the continuance of the present war, one of the parties to an intended marriage is an officer, seaman, or marine borne on the books of one of His Majesty's ships, and the parties to the intended marriage have duly fulfilled all the conditions required by law for enabling them to be married in any particular place of worship or in any particular district in the United Kingdom, then, if the officer, seaman, or marine obtains from the officer commanding the ship on whose books he is borne a certificate that owing to the exigencies of the public service the officer, seaman, or marine cannot be allowed to proceed to that place of worship or to that district, the marriage may be lawfully solemnized or contracted in any other building in the United Kingdom in which marriages may lawfully be solemnized or contracted, as though the parties thereto had duly fulfilled all the conditions required by law for enabling them to be married at that building: Provided that where apart from the above provision the marriage could not have been solemnized elsewhere than in a place of worship of a particular denomination, nothing in the said provision shall be construed as authorising the solemnization of the marriage elsewhere than in such place of worship.

Prolongation of the validity of certificates of publication of banns or notice of marriage.

2. Where, during the continuance of the present war, one of the parties to an intended marriage is an officer, seaman, or marine borne on the books of one of His Majesty's ships, any certificate of the publication or proclamation of banns or of notice of marriage issued for the purpose of the intended marriage shall, notwithstanding anything in any other Act, continue to be valid for twelve months, and the marriage may accordingly be lawfully solemnized or contracted at any time within those twelve months.

Construction and short title.

3.—(1) This Act shall be construed as one with the Naval Marriages Act, 1908.

(2) This Act may be cited as the Naval Marriages Act, 1915. 8 Edw. 7. c. 26.

CHAPTER 36.

An Act to facilitate Legal Proceedings against Enemies in certain cases. [16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision with respect to writs issued against enemy in certain cases.

1.—(1) Leave may be given to issue a writ of summons in the High Court for service on an enemy out of the jurisdiction or of which notice is to be given to an enemy out of the jurisdiction if the court or judge is satisfied that the case is a case to which this section applies, and the court or a judge

may, on an application made at the time leave is so given or at any subsequent time, if satisfied that the writ cannot promptly be served or brought to the notice of the enemy defendant by any of the usual means, make an order (in this Act referred to as an enemy service order) directing substituted or other service of the writ or the substitution of notice for service by means of advertisement or otherwise; and on that order being complied with, all proceedings may be taken on the claim as if the writ had been served on the enemy defendant by the usual means.

(2) The Lord Chancellor may make such rules as he thinks fit for expediting proceedings and regulating procedure generally in a case where an enemy service order has been made and the enemy defendant does not appear; and any rules so made shall have effect as if they were included in the rules of court for the time being in force.

(3) The court or judge, where an enemy service order has been made and it appears not to be practicable to obtain the best evidence of any document which is, in the opinion of the court or judge, material to the case, may admit such other evidence thereof as appears proper in the circumstances.

(4) The court or judge shall have power, where an enemy service order has been made and the enemy defendant does not appear, to order the plaintiff, though successful, to pay the whole or any part of the costs of the proceedings, if the court or judge consider that it is just to do so in the special circumstances of the case.

(5) The fact that, for the purpose of obtaining the benefit of this section, a writ of summons has been indorsed only with a claim for a declaration in accordance therewith shall not prevent any other declaration or any consequential or other relief being claimed in other proceedings, or prevent the case being dealt with, although no such other declaration or consequential or other relief is claimed.

(6) This section applies to cases where—

(*a*) the plaintiff is a British subject and is entitled for the time being to bring an action in the High Court; and

(*b*) the defendant or one of the defendants is an enemy; and

(*c*) the writ is indorsed only with a claim for a declaration as to the effect of the present war on rights or liabilities of the plaintiff or defendant under a contract entered into before the outbreak thereof; and

(*d*) there is written evidence of the contract.

Interpretation.

2. For the purposes of this Act—

(*a*) the expression "enemy" means any persons or body of persons of whatever nationality resident or carrying

on business in an enemy country, but does not include persons of enemy nationality who are neither resident nor carrying on business in an enemy country; and

(*b*) the expression "outbreak of war" shall, as respects any enemy, be construed as referring to the date of the outbreak of war with the enemy country in which the enemy is resident or carrying on business; and

(*c*) the expression "British subject" includes a corporation incorporated in His Majesty's Dominions.

Saving.

3. Nothing in this Act shall prejudice or interfere with any powers of the court to give leave to issue a writ of summons or to adjourn, postpone, or otherwise deal with, any proceedings on any claim against an enemy, and the court or judge may, if it appears on any proceedings in a case where an enemy service order has been made that for any reason the case cannot properly be dealt with under this Act, dismiss the case, without prejudice to any subsequent proceedings in the same matter.

Application to Ireland.

4. In the application of this Act to Ireland the Lord Chancellor of Ireland shall be substituted for the Lord Chancellor.

Short title.

5.—(1) This Act may be cited as the Legal Proceedings against Enemies Act, 1915.

(2) This Act shall not apply to Scotland.

CHAPTER 37.

An Act to amend the Defence of the Realm Consolidation Act, 1914. [16th March 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers for expediting production of war material.
5 Geo. 5. c. 8.

1.—(1) Subsection (3) of section one of the Defence of the Realm Consolidation Act, 1914 (which gives power to take possession and use for the purpose of His Majesty's naval and military services certain factories or workshops or the plant thereof), shall apply to any factory or workshop of whatever sort, or the plant thereof; and that subsection shall be read as if the following paragraphs were added after paragraph (*b*):—

"(*c*) to require any work in any factory or workshop to be done in accordance with the directions of the Admiralty or Army Council, given with the object

of making the factory or workshop, or the plant or labour therein, as useful as possible for the production of war material; and

"(*d*) to regulate or restrict the carrying on of work in any factory or workshop, or remove the plant therefrom, with a view to increasing the production of war material in other factories or workshops; and

"(*e*) to take possession of any unoccupied premises for the purpose of housing workmen employed in the production, storage, or transport of war material."

Lipton v. Ford 1917 2 K.B. 647

(2) It is hereby declared that where the fulfilment by any person of any contract is interfered with by the necessity on the part of himself or any other person of complying with any requirement, regulation, or restriction of the Admiralty or the Army Council under the Defence of the Realm Consolidation Act, 1914, or this Act, or any regulations made thereunder, that necessity is a good defence to any action or proceedings taken against that person in respect of the non-fulfilment of the contract so far as it is due to that interference.

(3) In this section the expression "war material" includes arms, ammunition, warlike stores and equipment, and everything required for or in connection with the production thereof.

Short title.

2. This Act may be cited as the Defence of the Realm (Amendment), No. 2, Act, 1915.

CHAPTER 38.

An Act to amend the Copyright Act, 1911, with respect to the delivery of books to the British Museum.

[19th May 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of 1 & 2 Geo. 5. c. 46. s. 15 (1).

1. At the end of subsection (1) of section fifteen of the Copyright Act, 1911, which relates to the delivery of books to the British Museum, the following proviso shall be added:—

"Provided that the Board of Trade may, on the application of the Trustees of the British Museum, make regulations excepting from the provisions of this subsection publications wholly or mainly in the nature of trade advertisements, or such classes of such publications as may be specified in the regulations, and thereupon it shall not be necessary for the publisher of any publication so excepted so to deliver the publication or for the trustees

to give a receipt therefor, unless, as respects any particular publication, a written demand for the delivery thereof is made by the trustees. Every regulation under this proviso shall be laid before each House of Parliament as soon as may be after it is made, and if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which the House has sat, praying that any such regulation may be annulled, His Majesty in Council may annul the regulation and it shall be thenceforth void, but without prejudice to the validity of anything previously done thereunder before the expiration of such period."

2. This Act may be cited as the Copyright (British Museum) Act, 1915, and the Copyright Act, 1911, and this Act may be cited together as the Copyright Acts, 1911 and 1915. Short title.

CHAPTER 39.

An Act to enable the Fugitive Offenders Act, 1881, to be extended to Protected States. [19th May 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. It shall be lawful for His Majesty by Order in Council to direct that the Fugitive Offenders Act, 1881, shall apply as if, subject to the conditions, exceptions, and qualifications (if any) contained in the Order, any place or group of places over which His Majesty extends his protection, and which is named in the Order, were a British possession, and to provide for the carrying into effect of such application. Application of 44 & 45 Vict. c. 69 to protected states.

2. This Act may be cited as the Fugitive Offenders (Protected States) Act, 1915, and shall be construed as one with the Fugitive Offenders Act, 1881, and that Act and this Act shall be cited together as the Fugitive Offenders Acts, 1881 and 1915. Short title and construction.

CHAPTER 40.

An Act to facilitate Marriages between British Subjects resident in the United Kingdom and British Subjects resident in other parts of His Majesty's Dominions or in British Protectorates. [19th May 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Facilities for marriages between British subjects resident in the United Kingdom and British subjects resident elsewhere.

1.—(1) Where His Majesty is satisfied that the law in force in any part of His Majesty's dominions outside the United Kingdom makes due provision for the publication of banns or for the giving of notice in respect of marriages between British subjects intended to be solemnized or contracted in the United Kingdom, and for the recognition of certificates for marriage issued by superintendent registrars in England and of certificates for marriage issued by registrars, and certificates of proclamation of banns, in Scotland, and of certificates for marriage issued by registrars in Ireland as sufficient notice in respect of marriages between British subjects intended to be solemnized or contracted in that part of His Majesty's dominions, His Majesty may by Order in Council declare that this section shall apply to that part of His dominions, and in such case—

(*a*) where a marriage is intended to be solemnized or contracted in the United Kingdom between a British subject resident in England, Scotland, or Ireland and a British subject resident in that part of His Majesty's dominions, a certificate of the publication of banns or a certificate of notice of marriage issued in accordance with such law shall in England have the same effect as a certificate for marriage issued by a superintendent registrar, and in Scotland and Ireland have the same effect as a certificate for marriage issued by a registrar in Scotland and Ireland respectively; and

(*b*) Where a marriage is intended to be solemnized or contracted in that part of His Majesty's dominions between a British subject resident in that part and a British subject resident in England, Scotland, or Ireland, a certificate for marriage may be issued in England by a superintendent registrar, or in Scotland or Ireland by a registrar, in the like manner as if the marriage was to be solemnized or contracted under circumstances requiring the issue of such a certificate, and as if both such British subjects were resident in England, Scotland, or Ireland, as the case may be.

(2) For the purposes of this section the expression "certificate for marriage" in reference to certificates issued in Scotland shall mean a certificate of due publication of notice of intention to marry.

(3) Nothing in this Act shall affect the existing law or practice relating to the proclamation of banns in Scotland or the issue of certificates of such proclamation.

Extension to protectorates.

2. His Majesty may by Order in Council extend this Act to any British protectorate, and on the making of any such Order this Act shall, subject to the provisions of the Order, have effect as if the protectorate were part of His Majesty's dominions.

Short title.

3. This Act may be cited as the Marriage of British Subjects (Facilities) Act, 1915.

CHAPTER 41.

An Act to amend the enactments relating to the Police during the present War. [19th May 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of 4 & 5 Geo. 5. cc. 34 & 80, and 5 Geo. 5. c. 32.

1.—(1) Subsection (2) of section two of the Police Constables (Naval and Military Service) Act, 1914, shall have effect and shall be deemed always to have had effect as if the words "if the police authority are satisfied, after consultation with "the Admiralty or Army Council, that the constable possesses "qualifications not possessed by ordinary recruits for rendering "special service in the navy or army" were omitted therefrom and the words "with the consent of the Chief Officer of Police of the force to which he belongs" were inserted in their place.

(2) The subsection which by section one of the Police Constables (Naval and Military Service) Act, 1914, is substituted for subsection (2) of section one of the Police Reservists (Allowances) Act, 1914, and subsection (2) of section one of the Irish Police (Naval and Military Service) Act, 1915, shall respectively have effect and shall be deemed always to have had effect as if the following provision were added thereto:—

> "If the man dies or is disabled whilst in naval or military service under circumstances which do not entitle his widow or children or him to any pension or allowances payable out of naval or military funds, the police authority shall have power to grant to his widow and children or to him such gratuities or pension as could have been awarded under the enactments relating to the police, had the man been a member of the police force at the time of his death or disablement."

(3) For removing doubts it is hereby declared that the privileges to which a man may be entitled under the Police Reservists (Allowances) Act, 1914, or the Police Constables (Naval and Military Service) Act, 1914, or the Irish Police (Naval and Military Service) Act, 1915, shall continue, and may be renewed, notwithstanding that the man is granted a temporary commission for the purposes of the present war in any of His Majesty's naval or military forces.

(4) This section shall as respects England and Scotland be construed as one with the Police Reservists (Allowances) Act, 1914, and the Police Constables (Naval and Military Service) Act, 1914, and as respects Ireland with the Irish Police (Naval and Military Service) Act, 1915.

(5) This section shall continue in operation only during the continuance of the present war.

Suspension of right to retire on a pension.

2. Notwithstanding any enactment to the contrary, no constable shall, during the continuance of the present war, be entitled without a medical certificate to retire and receive a pension for life except with the consent of the chief officer of the police force to which he belongs:

Provided that where a constable has given before the commencement of this Act, or hereafter gives during the continuance of the present war, written notice of his desire to retire in circumstances which, but for this section, would entitle him to retire without a medical certificate and to receive a pension for life, his right to retire at the termination of the present war with a pension not less in amount than that to which he would have been entitled had he retired at the date when such notice was given shall not be liable to forfeiture except for such misconduct as would, had he been in receipt of a pension, have rendered the pension liable to forfeiture.

Prohibition of the establishment of new police forces and amalgamation of existing forces.

3.—(1) During the continuance of the present war no new separate police force shall be established, and the operation of any enactment providing for the establishment of such a force shall be and shall be deemed as from the fourth day of August nineteen hundred and fourteen to have been suspended.

(2) Where the Secretary of State considers it necessary for the purpose of efficient administration, he may order that the police force established in any borough (not being a county borough) under the Municipal Corporations Act, 1882, or any Act repealed by that Act, may, for the purposes of control and discipline, be treated during the continuance of the present war as part of the police force of the county in which the borough is situate, and may for that purpose give directions as to the manner in which the amalgamation of the forces is to be effected, and what the arrangements for the control and discipline are to be.

45 & 46 Vict. c. 50.

(3) This section shall not apply to Ireland.

4. This Act may be cited as the Police (Emergency Provisions) Act, 1915, and the Police Reservists (Allowances) Act, 1914, the Police Constables (Naval and Military Service) Act, 1914, and so much of this Act as amends those Acts, may be cited together as the Police Constables (Naval and Military Service) Acts, 1914 and 1915. Short title.

CHAPTER 42.

An Act to extend the Defence of the Realm Consolidation Act, 1914. [19th May 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) Where it appears to His Majesty that it is expedient for the purpose of the successful prosecution of the present war that the sale and supply of intoxicating liquor in any area should be controlled by the State, on the ground that war material is being made or loaded or unloaded or dealt with in transit in the area or that men belonging to His Majesty's naval or military forces are assembled in the area, His Majesty has power, by Order in Council, to define the area and to apply to the area the regulations issued in pursuance of this Act under the Defence of the Realm Consolidation Act, 1914, and the regulations so applied shall, subject to any provisions of the Order or any amending Order, take effect in that area during the continuance of the present war and such period not exceeding twelve months thereafter as may be declared by Order in Council to be necessary in view of conditions connected with the termination of the present war. State control of liquor trade in certain areas. 5 Geo. 5. c. 8.

(2) His Majesty in Council has power to issue regulations under the Defence of the Realm Consolidation Act, 1914, to take effect in any area to which they are applied under this Act—

(*a*) for giving the prescribed Government authority, to the exclusion of any other person, the power of selling or supplying, or controlling the sale or supply of, intoxicating liquor in the area, subject to any exceptions contained in the regulations; and

(*b*) for giving the prescribed Government authority power to acquire, compulsorily or by agreement, and either for the period during which the regulations take effect, or permanently, any licensed or other premises or business in the area, or any interest therein, so far as it appears necessary or expedient to do so for the purpose of giving proper effect to the control of the liquor supply in the area; and

(*c*) for enabling the prescribed Government authority, without any licence, to establish and maintain refreshment rooms for the supply of refreshments (including, if thought fit, the supply of intoxicating liquor) to the general public or to any particular class of persons or to persons employed in any particular industry in the area; and

(*d*) for making any modification or adjustment of the relations between persons interested in licensed premises in the area which appears necessary or expedient in consequence of the regulations; and

(*e*) generally, for giving effect to the transfer of the control of the liquor traffic in the area to the prescribed Government authority, and for modifying, so far as it appears necessary or expedient, the provisions of the Acts relating to licensing or the sale of intoxicating liquor in their application to the area.

(3) Any regulations made before the passing of this Act under the powers conferred by any Act dealing with the Defence of the Realm as respects the restriction of the sale of intoxicating liquor are hereby declared to have been duly made in accordance with those powers.

Short title.

2. This Act may be cited as the Defence of the Realm (Amendment) (No. 3) Act, 1915.

CHAPTER 43.

An Act to amend section eighty-three of the Army Act with respect to transfers during the present War.

[19th May 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers of transfer and posting.

1. Where for the purposes of the present war it is necessary in the interests of the efficiency of His Majesty's military forces to do so, a soldier belonging to the regular forces may, notwithstanding anything in section eighty-three of the Army Act, be transferred without his consent to any corps notwithstanding that that corps is not of the same arm or branch of the service as the corps in which the soldier was previously serving:

Provided that where a soldier is under this section transferred without his consent to a corps of an arm or branch of the service other than that in which he is serving, he shall not by reason of such transfer be deprived of any pay or allowances of which he was in receipt at the date of transfer should such

pay and allowances be more advantageous to him than the pay and allowances of his rank in the corps to which he is transferred:

Provided also that so soon as convenient after the conclusion of the present war any soldier transferred under the provisions of this Act shall, if he so desire, be re-transferred to the corps in which he was serving at the time of the transfer.

2. This Act may be cited as the Army (Transfers) Act, 1915. Short title.

CHAPTER 44.

An Act to enable certain Statutory Companies to create and issue Preference Shares or Stock, and Debentures or Debenture Stock, so as in each case to be redeemable.

[19th May 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) Where a statutory company as defined by this Act are authorised to raise any preference or debenture stock, they may create and issue that stock so as to be redeemable on such terms and conditions as may be specified in a resolution of the company passed at a special meeting convened for the purpose. Issue of redeemable preference or debenture stock.

(2) If it is so provided in the resolution the statutory company may—

(*a*) call in and pay off the stock or any part thereof at any time before the fixed date of redemption; and

(*b*) redeem the stock or any part thereof, either by paying off the stock or by issuing to any stockholder, subject to his consent, other stock in substitution therefor; and may, for the purpose of providing money for paying off the stock or of providing substituted stock, create and issue new stock (either redeemable or irredeemable) or reissue stock originally created and issued under this section, provided that the creation and issue for the purpose of any particular class of stock does not make the total nominal amount of that stock issued exceed the amount of that class of stock which the company are for the time being authorised to create.

(3) The company may set aside out of revenue, after providing for the payment of interest on any loan, or on any

guaranteed, preference or debenture stock of the company, and for other fixed charges and obligations, such sums as they may consider proper for the purpose of forming a fund for the redemption at maturity of any redeemable preference or debenture stock which, under the conditions of the creation and issue of that stock, is to be redeemed wholly or partly in cash; and the company may invest any sums so set apart, and the income therefrom, in any securities in which trustees are for the time being by law authorised to invest trust funds, or in any other securities (not being securities of the company except as hereinafter provided) in which they may be authorised to invest those sums by a resolution passed at a general meeting of the company.

Any sums so set apart shall be applied for the redemption at maturity of any redeemable preference or debenture stock for the redemption of which they have been set apart, but may, if the directors of the company think fit, be also at any time applied in the purchase of any such stock at a price not exceeding the redemption price, and any stock so purchased shall be cancelled.

(4) A resolution of a statutory company, passed before the commencement of this Act and after the outbreak of the war, for the creation or issue of redeemable stock shall, for the purposes of this Act, have the same effect as if this Act had been in operation at the time when the resolution was passed.

(5) This Act shall apply only to stock authorised to be created or to be issued before the outbreak of the present war, or after the outbreak of the present war, and before the commencement of this Act; and redeemable stock shall not be created or issued, in pursuance of the powers given by this Act, during the continuance of the present war and a period of twelve months thereafter except with the consent of the Treasury.

Interpretation and construction.

2.—(1) In this Act, unless the context otherwise requires,—

The expression "statutory company" means any railway company, canal company, dock company, water company, or other company incorporated by special Act, who are for the time being authorised under such an Act to construct, work, own, or carry on any railway, canal, dock, water, or other public undertaking, and includes any person or body of persons so authorised.

The expression "special Act" includes any certificate or order having the force of an Act.

(2) The provisions of this Act shall apply to preference shares in the same manner as they apply to preference stock, and to debentures in the same manner as they apply to debenture stock.

(3) The powers given by this Act shall be deemed to be in addition to, and not in derogation of, any other powers under any other Act; and those powers may be exercised in the same manner as if this Act had not passed.

3. This Act may be cited as the Statutory Companies (Redeemable Stock) Act, 1915. Short title.

CHAPTER 45.

An Act to amend the British North America Act, 1867.

[19th May 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) Notwithstanding anything in the British North America Act, 1867, or in any Act amending the same, or in any Order in Council or terms or conditions of union made or approved under the said Acts or in any Act of the Canadian Parliament— Alteration of constitution of Senate. 30 & 31 Vict. c. 3.

(i) The number of senators provided for under section twenty-one of the British North America Act, 1867, is increased from seventy-two to ninety-six:

(ii) The Divisions of Canada in relation to the constitution of the Senate provided for by section twenty-two of the said Act are increased from three to four, the fourth division to comprise the Western Provinces of Manitoba, British Columbia, Saskatchewan, and Alberta, which four Divisions shall (subject to the provisions of the said Act and of this Act) be equally represented in the Senate, as follows:—Ontario by twenty-four senators; Quebec by twenty-four senators; the Maritime Provinces and Prince Edward Island by twenty-four senators, ten thereof representing Nova Scotia, ten thereof representing New Brunswick, and four thereof representing Prince Edward Island; the Western Provinces by twenty-four senators, six thereof representing Manitoba, six thereof representing British Columbia, six thereof representing Saskatchewan, and six thereof representing Alberta:

(iii) The number of persons whom by section twenty-six of the said Act the Governor-General of Canada may, upon the direction of His Majesty the King, add to the Senate is increased from three or six to four or eight, representing equally the four divisions of Canada:

(iv) In case of such addition being at any time made the Governor-General of Canada shall not summon any person to the Senate except upon a further like direction by His Majesty the King on the like recommendation to represent one of the four Divisions until such Division is represented by twenty-four senators and no more :

(v) The number of senators shall not at any time exceed one hundred and four :

(vi) The representation in the Senate to which by section one hundred and forty-seven of the British North America Act, 1867, Newfoundland would be entitled, in case of its admission to the Union is increased from four to six members, and in case of the admission of Newfoundland into the Union, notwithstanding anything in the said Act or in this Act, the normal number of senators shall be one hundred and two, and their maximum number one hundred and ten :

49 & 50 Vict. c. 35. (vii) Nothing herein contained shall affect the powers of the Canadian Parliament under the British North America Act, 1886.

(2) Paragraphs (i) to (vi) inclusive of subsection (1) of this section shall not take effect before the termination of the now existing Canadian Parliament.

Constitution of House of Commons.

2. The British North America Act, 1867, is amended by adding thereto the following section immediately after section fifty-one of the said Act :—

51A. Notwithstanding anything in this Act, a province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such province.

Short title.

3. This Act may be cited as the British North America Act, 1915, and the British North America Acts, 1867 to 1886, and this Act may be cited together as the British North America Acts, 1867 to 1915.

CHAPTER 46.

An Act to restrict the Supply and Sale of Immature Spirits. [19th May 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Restriction on delivery for the purposes of home consumption of immature spirits.

1.—(1) No British or foreign spirits shall be delivered for home consumption unless they have been warehoused for a period of at least three years:

Provided that—

(*a*) this restriction shall not apply to spirits delivered for purposes for which they may for the time being be delivered free of duty or to mixtures, compounds or preparations which have been charged to duty in respect of the spirit contained in them or used in their preparation or manufacture; and

(*b*) subject to the payment of such duties (if any) as Parliament may determine, and to compliance with such conditions as the Commissioners of Customs and Excise may impose, this restriction shall not apply—

(i) to spirits delivered to a licensed rectifier, to a manufacturing chemist, or to a manufacturer of perfumes, for use in their manufactures, or to other persons licensed by the Commissioners of Customs and Excise; or

(ii) to spirits delivered for scientific purposes; or

(iii) to imported Geneva and perfumed spirits and foreign liqueurs; and

(*c*) subject to the payment of such duties (if any) as Parliament may determine and to compliance with such conditions as the Commissioners of Customs and Excise may impose, this restriction shall not apply for a period of one year after the commencement of this Act—

(i) to spirits of any sort delivered for home consumption, if they have been warehoused for a period of at least two years; or

(ii) to imported rum delivered for home consumption, if it has been warehoused for a period of at least nine months; and

(*d*) any period which, in the case of imported spirits is shown to the satisfaction of the Commissioners of Customs and Excise to have elapsed between the dates of distillation and importation shall be treated, for the purposes of this Act, as a period during which the spirits have been warehoused.

(2) Nothing contained in this section shall interfere with the supply of rectified spirits of wine for the purpose of making medicines to registered medical practitioners, to hospitals, and to persons, firms, and bodies corporate entitled to carry on the business of a chemist and druggist.

(3) If any person procures, or attempts to procure, the delivery of spirits in contravention of this Act, or acts in contravention of or fails to comply with any conditions imposed by the Commissioners of Customs and Excise in pursuance of this Act, he shall be liable to a customs or excise penalty, as the case may be, of one hundred pounds; and any spirits in respect of which the offence has been committed shall be forfeited.

Existing contracts.

2. Where any existing contracts are interfered with by this Act the contractors shall to the extent of such interference be relieved therefrom.

Short title.

3. This Act may be cited as the Immature Spirits (Restriction) Act, 1915.

CHAPTER 47.

An Act to amend the Law relating to the appointment of Special Constables in Scotland. [19th May 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Removal of limitations on appointment of special constables.
55 & 56 Vict. c. 55.

1.—(1) During the continuance of the present war, section ninety-six of the Burgh Police (Scotland) Act, 1892, which relates to the appointment of special constables, shall be read and construed as if the words "between the ages of twenty and fifty," and the words "for a period not exceeding six months," were omitted.

4 & 5 Geo. 5. c. 53.

(2) Where any person has been appointed in pursuance of the said Act or of the Special Constables (Scotland) Act, 1914, to act as a special constable for a specified period, and is so acting at the date of the passing of this Act, such appointment shall not cease or determine by reason only of the expiry of the specified period.

Short title.

2. This Act may be cited as the Special Constables (Scotland) Act, 1915, and shall apply to Scotland only.

CHAPTER 48.

An Act to make provision for facilitating the improvement, management, and maintenance of small harbours principally used by the fishing industry.

[19th May 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of Act.

1. This Act shall apply only to small harbours which in the opinion of the Board of Trade and the Board of Agriculture and Fisheries are principally used by the fishing industry.

Power of Board of Agriculture and Fisheries to make orders.

24 & 25 Vict. c. 45.

2. In relation to any harbour to which this Act applies the powers of the Board of Trade under the General Pier and Harbour Act, 1861, and the Acts amending that Act (except as hereinafter mentioned), shall as respects that harbour be exerciseable by the Board of Agriculture and Fisheries, and in such case the said Acts shall apply accordingly, subject to the following modifications:—

(1) For references to the Board of Trade there shall be substituted references to the Board of Agriculture and Fisheries, except in sections seven to sixteen of the General Pier and Harbour Act, 1861, Amendment Act, which shall apply without such substitution to an Order under this Act;

25 & 26 Vict. c. 19.

(2) Sections three to five of the General Pier and Harbour Act, 1861, Amendment Act, and the schedule therein referred to shall not apply, but the applicants for an Order shall publish notice of the application and of any proposed works in such manner as the Board of Agriculture and Fisheries may prescribe, and shall also send notice in writing thereof to the Board of Trade:

(3) Section sixteen of the General Pier and Harbour Act, 1861, shall not apply, but in lieu thereof the following provisions shall have effect:—

(1) After a Provisional Order has been settled and made by the Board of Agriculture and Fisheries the Board shall publish in such manner as they think best adapted for informing persons affected notice that they have settled the Order and of the place where copies of the Order as settled may be obtained, together with a statement that the Order will become final and have effect as an Act of Parliament, unless within such period, not

being less than thirty days, as may be stated in the notice, a memorial by—

51 & 52 Vict. c. 54.

(*a*) any committee constituted under the Sea Fisheries Regulation Act, 1888, or board of conservators constituted under the Salmon and Freshwater Fisheries Acts, 1861 to 1907, having jurisdiction over the harbour or any part thereof;

(*b*) the council of any borough, district or parish in which the harbour or any part thereof is situate; or

(*c*) any twenty or more inhabitant householders of any such borough, district, or parish,

is presented to the Board praying that the Order shall not become law without confirmation by Parliament;

(2) If no memorial has been presented by any such body or persons within such period as aforesaid, or if every such memorial has been withdrawn, the Board shall confirm the Order and the Order shall thereupon have effect as if enacted in this Act, but if any such memorial has been presented and has not been withdrawn, the Order shall have no effect, unless and until confirmed by Parliament, and in such case the Board may bring in a Bill to confirm the Order;

(4) The expression "works" shall include slipways, capstans, and other works facilitating the landing, launching, or beaching of vessels in any harbour, and the expression "harbour" shall include any haven, cove, or other landing place;

(5) An Order may constitute one harbour authority for two or more harbours, and may abolish any existing harbour authority, with the consent of that authority, and may transfer to the harbour authority constituted by the Order the property, rights, powers, and liabilities of any existing harbour authority, but not so as to prejudice the rights of any creditor of the existing harbour authority without the consent of that creditor, and may for that purpose repeal any Order or enactment constituting or regulating the authority so abolished;

10 & 11 Vict. c. 27.

(6) The purposes for which byelaws may be made under the Harbours, Docks, and Piers Clauses Act, 1847, as incorporated by an Order, shall extend to the prevention of obstruction or injury to the harbour under the control of the harbour authority, so, however, that no estate, interest, or right of a profitable or beneficial nature, in, over, or affecting the harbour shall, except with the consent of the person entitled thereto, be taken away or injuriously affected by any such bye-

law without compensation being made or provided for the same by the authority making the byelaw, and such compensation shall, in case of difference, be determined by an arbitrator appointed, in default of agreement between the parties, by the Board of Trade;

(7) No Order shall be made except with the consent in writing of the Board of Trade;

(8) Any consent, appointment or other thing given, made or done by the Board of Trade may be signified under the hand of the President or a secretary or assistant secretary of the Board.

Powers of local authorities to contribute.

3.—(1) The council of a county or borough or urban or rural district or parish may, with the consent of and subject to regulations made by the Local Government Board, contribute or undertake to contribute to the expenses of a harbour authority constituted under this Act, and the expenses so incurred by a council shall be defrayed—

(*a*) in the case of a county council, out of the county fund as general county expenses, or, if the consent of the Local Government Board so provides, as expenses for special county purposes charged on such part of the county as may be specified in such consent;

(*b*) in the case of a borough or district council as if the expenses were expenses under the Public Health Acts; and

(*c*) in the case of a parish council under and according to the Local Government Act, 1894. 56 & 57 Vict. c. 73.

(2) A council may borrow for the purpose of this Act in the case of a county council as for the purposes of the Local Government Act, 1888, in the case of a borough or district council as for the purpose of the Public Health Acts, and in the case of a parish council as for the purposes of the Local Government Act, 1894: Provided that 51 & 52 Vict. c. 41.

(*a*) money borrowed under this Act shall not be reckoned as part of the total debt of a county council for the purpose of section sixty-nine of the Local Government Act, 1888, or as part of the debt of the council of a borough or district or parish for the purposes of the limitation on borrowing under subsections (2) and (3) of section two hundred and thirty-four of the Public Health Act, 1875, or under section twelve of the Local Government Act, 1894; and 38 & 39 Vict. c. 55.

(*b*) The power of borrowing so conferred shall, during the continuance of the war and for a period of one year thereafter, not be exercised without the consent of the Treasury.

(3) A committee constituted under the Sea Fisheries Regulation Act, 1888, may contribute or undertake to contribute to

the expenses of a harbour authority constituted under this Act for a harbour situate wholly or partly in the district of the committee.

Short title, extent, and duration.

4.—(1) This Act may be cited as the Fishery Harbours Act, 1915, and the General Pier and Harbour Act, 1861, the General Pier and Harbour Act, 1861, Amendment Act, and this Act may be cited together as the General Pier and Harbour Acts, 1861 to 1915.

(2) This Act shall not extend to Scotland or Ireland.

(3) The power of making orders under this Act shall not be exercised after the expiration of two years from the passing of this Act except for the purpose of amending an existing Order made under this Act, but nothing in this subsection shall prejudice or affect any powers or provisions contained in any Order made before the expiration of that period.

CHAPTER 49.

An Act to facilitate the early provision of dwellings, &c. for, or for the convenience of, persons employed by or on behalf of the Admiralty at Rosyth Dockyard.

[19th May 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers of Local Government Board for Scotland to facilitate immediate erection of houses for dockyard employees. 4 & 5 Geo. 5. c. 31.

1. If the Local Government Board for Scotland in the exercise of their powers under the Housing Act, 1914, make arrangements with any authorised society in connexion with the provision of dwellings and gardens and other works and buildings for, or for the convenience of, persons employed by or on behalf of the Admiralty at or in the neighbourhood of Rosyth Dockyard, pending the approval of a town planning scheme for the area to which the arrangements relate it shall be lawful for the Town Council of Dunfermline, on obtaining the approval of the Board thereto, to grant authority to the society to carry into operation within the aforesaid area any scheme or schemes of the society for such provision as aforesaid, including all necessary preparation or adaptation of the land, such as the making of roads, streets, and open spaces, and the execution of all works of whatever description subsidiary or incidental to such dwellings and buildings or the erection thereof, or to the provision of drainage, water supply, and other services in connexion therewith, and, if necessary, the utilisation of facilities for such services whether under existing powers or under powers to be conferred on any authority by the scheme; and the Dean of Guild Court of the Burgh of Dunfermline shall forthwith

approve any plans submitted to the Court in pursuance of any such scheme. So far as necessary for the proper carrying out of any such scheme, the Board may suspend any statutory enactments, byelaws, regulations, or other provisions, under whatever authority made, which are in operation in the area included in the scheme. If on the application of the society the town council shall refuse or in the opinion of the Board unduly delay to grant authority as aforesaid, such authority may be forthwith granted by the Board.

Short title.

2. This Act may be cited as the Housing (Rosyth Dockyard) Act, 1915.

CHAPTER 50.

An Act to make temporary provision for rendering unnecessary the Re-election of Members of the House of Commons on Acceptance of Office.

[4th June 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Necessity for re-election of Ministers suspended.

1.—(1) Notwithstanding anything in any Act, a member of the House of Commons shall not vacate his seat by reason only of his acceptance, at any time during the months of May and June nineteen hundred and fifteen, of an office of profit, if that office is an office the holder of which is by law capable of being elected to, or sitting, or voting in that House.

(2) This Act shall be deemed to have had effect as from the first day of May nineteen hundred and fifteen.

(3) This Act shall not apply to the acceptance of any of the offices mentioned in the Schedule to this Act.

Short title.

2. This Act may be cited as the Re-election of Ministers Act, 1915.

SCHEDULE.

Office of Steward or Bailiff of His Majesty's three Chiltern Hundreds of Stoke, Desborough, and Burnham.

Office of Steward or Bailiff of the Manors of East Hendred, Northstead, or Hempholme.

CHAPTER 51.

An Act for establishing, in connection with the present War, a Ministry of Munitions of War, and for purposes incidental thereto. [9th June 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Establishment of Ministry of Munitions.

1.—(1) For the purpose of supplying munitions for the present war, it shall be lawful for His Majesty to appoint a Minister of Munitions who shall hold office during His Majesty's pleasure.

(2) The Minister of Munitions may appoint such secretaries, officers, and servants as the Minister may determine.

Powers of Minister.

2.—(1) The Minister of Munitions shall have such administrative powers and duties in relation to the supply of munitions for the present war as may be conferred on him by His Majesty in Council, and His Majesty may also, if he considers it expedient that, in connection with the supply of munitions, any powers or duties of a Government Department or authority, whether conferred by statute or otherwise, should be transferred to, or exercised or performed concurrently by, the Minister of Munitions, by Order in Council make the necessary provision for the purpose, and any Order made in pursuance of this section may include any supplemental provisions which appear necessary for the purpose of giving full effect to the Order.

(2) Any Order in Council made under this section may be varied or revoked by a subsequent Order in Council.

Remuneration and expenses.

3.—(1) There shall be paid out of money provided by Parliament to the Minister of Munitions an annual salary not exceeding five thousand pounds, and to the secretaries, officers, and servants of the Ministry such salaries or remuneration as the Treasury may from time to time determine.

(2) The expenses of the Ministry of Munitions to such amount as may be sanctioned by the Treasury shall be paid out of money provided by Parliament.

Seal, style, and acts of Minister.

4.—(1) The Minister of Munitions may adopt an official seal and describe himself generally by the style and title of the Minister of Munitions, and the seal of the Minister shall be officially and judicially noticed and shall be authenticated by the signature of the Minister or of a secretary or some person authorised by the Minister to act in that behalf.

(2) Every document purporting to be an Order or other instrument issued by the Minister of Munitions and to be sealed with the seal of the Minister authenticated in manner provided by this section or to be signed by the secretary or any person authorised as aforesaid shall be received in evidence and be

deemed to be such Order or instrument without further proof, unless the contrary is shown.

(3) A certificate signed by the Minister of Munitions that any Order or other instrument purporting to be made or issued by him is so made or issued shall be conclusive evidence of the fact so certified.

(4) Where in connection with the undertaking of any duties or powers by the Minister of Munitions it appears to the Minister of Munitions and the department or authority concerned that in any notice, order, contract, or other document the name of the Minister of Munitions should be substituted for the name of any department or authority, or that the name of any officer of the Ministry of Munitions should be substituted for the name of any officer of any such department or authority, the Minister of Munitions may order that the substitution shall take effect, subject to any limitations contained in the order, and, where such an order is made, the notice, order, contract, or document shall have effect in accordance with the order.

Ability of Minister and Secretaries to sit in Parliament.

5.—(1) The office of Minister of Munitions or of Secretary in the Ministry of Munitions shall not render the holder thereof incapable of being elected to or sitting or voting as a member of the Commons House of Parliament, but not more than two such Secretaries shall sit as members of that House at the same time.

(2) The Minister of Munitions shall take the oath of allegiance and official oath and shall be deemed to be included in the First Part of the Schedule to the Promissory Oaths Act, 1868. 31 & 32 Vict. c. 72.

Cessation of Ministry after the close of the war.

6. The office of Minister of Munitions and the Ministry of Munitions shall cease to exist on the termination of a period of twelve months after the conclusion of the present war or such earlier date as may be fixed by His Majesty in Council, and then any appointments made under the powers conferred by this Act shall be determined, and any powers or duties which have been transferred to the Minister of Munitions under this Act, shall, without prejudice to any action taken in pursuance of those powers or duties, revert to the Department or Authority from which they were transferred.

Short title and interpretation.

7.—(1) In this Act the expression "munitions of war" and the expression "munitions" mean anything required to be provided for war purposes, and include arms, ammunition, war-like stores or material, and anything required for equipment or transport purposes or for or in connection with the production of munitions.

(2) This Act may be cited as the Ministry of Munitions Act, 1915.

CHAPTER 52.

An Act to amend the Law relating to the Exportation of Articles during the present War. [24th June 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to prohibit exportation to persons other than authorised consignee.

1.—(1) The power of His Majesty under section one of the Exportation of Arms Act, 1900, as amended by the Customs (Exportation Restriction) Act, 1914, by proclamation to prohibit the exportation of articles to any country or place named in the proclamation, shall, during the continuance of the present war, include the power to prohibit the exportation of any article to any such country or place unless consigned to such person or persons as may be authorised by or under the proclamation to receive such article.

(2) If any article to which any such proclamation applies is delivered to any consignee other than an authorised consignee the vessel in which it was exported shall for the purposes of the Acts relating to the Customs be deemed to have been used in the conveyance of prohibited goods.

Penalty on exportation of prohibited goods.

2. The penalty to which the exporter or his agent or the shipper of any goods exported in contravention of any proclamation or Order in or of Council is liable, under section eight of the Customs and Inland Revenue Act, 1879, or the Exportation of Arms Act, 1900, as amended by any subsequent enactment, including this Act, shall, during the continuance of the present war, be increased from one hundred pounds to five hundred pounds: Provided that the court may, if it thinks fit, in lieu of ordering the offender to pay such penalty, order that he be imprisoned, with or without hard labour, for a term not exceeding two years.

Short title.

3. This Act may be cited as the Customs (Exportation Restriction) Act, 1915.

CHAPTER 53.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and sixteen.

[24th June 1915.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 269,888,662*l.* out of the Consolidated Fund for the service of the year ending 31st March 1916.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and sixteen, the sum of two hundred and sixty-nine million eight hundred and eighty-eight thousand six hundred and sixty-two pounds.

Power for the Treasury to borrow.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole two hundred and sixty-nine million eight hundred and eighty-eight thousand six hundred and sixty-two pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March one thousand nine hundred and sixteen, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

3. This Act may be cited as the Consolidated Fund (No. 3) Act, 1915.

CHAPTER 54.

An Act to make provision for furthering the efficient manufacture, transport, and supply of Munitions for the present War; and for purposes incidental thereto.

[2nd July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

Settlement of labour differences.

1.—(1) If any difference exists or is apprehended between any employer and persons employed, or between any two or more classes of persons employed, and the difference is one to which this Part of this Act applies, that difference, if not determined by the parties directly concerned or their representatives or under existing agreements, may be reported to the Board of Trade, by or on behalf of either party to the difference, and the decision of the Board of Trade as to whether a difference has been so reported to them or not, and as to the time at which a difference has been so reported, shall be conclusive for all purposes.

(2) The Board of Trade shall consider any difference so reported and take any steps which seem to them expedient to promote a settlement of the difference, and, in any case in which they think fit, may refer the matter for settlement either in accordance with the provisions of the First Schedule to this Act or, if in their opinion suitable means for settlement already exist in pursuance of any agreement between employers and persons employed, for settlement in accordance with those means.

(3) Where a matter is referred under the last foregoing subsection for settlement otherwise than in accordance with the provisions of the First Schedule to this Act, and the settlement is in the opinion of the Board of Trade unduly delayed, the Board may annul the reference and substitute therefor a reference in accordance with the provisions of the said Schedule.

(4) The award on any such settlement shall be binding both on employers and employed and may be retrospective; and if any employer, or person employed, thereafter acts in contravention of, or fails to comply with, the award, he shall be guilty of an offence under this Act.

Prohibition of lock-outs and strikes in certain cases.

2.—(1) An employer shall not declare, cause or take part in a lock-out, and a person employed shall not take part in a strike, in connexion with any difference to which this Part of this Act applies, unless the difference has been reported to the Board of Trade, and twenty-one days have elapsed since the date of the

report, and the difference has not during that time been referred by the Board of Trade for settlement in accordance with this Act.

(2) If any person acts in contravention of this section, he shall be guilty of an offence under this Act.

Differences to which Part I. applies.

3. The differences to which this Part of this Act applies are differences as to rates of wages, hours of work, or otherwise as to terms or conditions of or affecting employment on the manufacture or repair of arms, ammunition, ships, vehicles, aircraft, or any other articles required for use in war, or of the metals, machines, or tools required for that manufacture or repair (in this Act referred to as munitions work); and also any differences as to rates of wages, hours of work, or otherwise as to terms or conditions of or affecting employment on any other work of any description, if this Part of this Act is applied to such a difference by His Majesty by Proclamation on the ground that in the opinion of His Majesty the existence or continuance of the difference is directly or indirectly prejudicial to the manufacture, transport, or supply of Munitions of War.

This Part of this Act may be so applied to such a difference at any time, whether a lock-out or strike is in existence in connexion with the difference to which it is applied or not:

Provided that if in the case of any industry the Minister of Munitions is satisfied that effective means exist to secure the settlement without stoppage of any difference arising on work other than on munitions work, no proclamation shall be made under this section with respect to any such difference.

When this Part of this Act is applied to any difference concerning work other than munitions work the conditions of labour and the remuneration thereof prevailing before the difference arose shall be continued until the said difference is settled in accordance with the provisions of this Part of this Act.

Part II.

Controlled establishments.

4. If the Minister of Munitions considers it expedient for the purpose of the successful prosecution of the war that any establishment in which munitions work is carried on should be subject to the special provisions as to limitation of employers' profits and control of persons employed and other matters contained in this section, he may make an order declaring that establishment to be a controlled establishment, and on such order being made the following provisions shall apply thereto:—

(1) Any excess of the net profits of the controlled establishment over the amount divisible under this Act, as ascertained in accordance with the provisions of this Act, shall be paid into the Exchequer.

(2) Any proposal for any change in the rate of wages, salary, or other emoluments of any class of persons employed in the establishment, or of any persons engaged in the management or the direction of the establishment,

(other than a change for giving effect to any Government conditions as to fair wages or to any agreement between the owner of the establishment and the workmen which was made before the twenty-third day of June, nineteen hundred and fifteen), shall be submitted to the Minister of Munitions, who may withhold his consent within fourteen days of the date of the submission:

Provided that if the Minister of Munitions so directs, or if the Minister's consent is withheld and the persons proposing the change so require, the matter shall be referred for settlement in accordance with the provisions of the First Schedule to this Act, and the consent of the arbitration tribunal, if given, shall in that case have the same effect as the consent of the Minister of Munitions.

If the owner of the establishment or any contractor or sub-contractor employing labour therein makes any such change, or attempts to make any such change, without submitting the proposal for the change to the Minister of Munitions or when the consent of the Minister has been withheld, he shall be guilty of an offence under this Act.

(3) Any rule, practice, or custom not having the force of law which tends to restrict production or employment shall be suspended in the establishment, and if any person induces or attempts to induce any other person (whether any particular person or generally) to comply, or continue to comply, with such a rule, practice, or custom, that person shall be guilty of an offence under this Act.

If any question arises whether any rule, practice or custom is a rule, practice or custom which tends to restrict production or employment, that question shall be referred to the Board of Trade, and the Board of Trade shall either determine the question themselves or, if they think it expedient or either party requires it, refer the question for settlement in accordance with the provisions contained in the First Schedule to this Act. The decision of the Board of Trade or arbitration tribunal, as the case may be, shall be conclusive for all purposes.

(4) The owner of the establishment shall be deemed to have entered into an undertaking to carry out the provisions set out in the Second Schedule to this Act, and any owner or contractor or sub-contractor who breaks or attempts to break such an undertaking shall be guilty of an offence under this Act.

(5) The employer and every person employed in the establishment shall comply with any regulations made applicable to that establishment by the Minister of Munitions

with respect to the general ordering of the work in the establishment with a view to attaining and maintaining a proper standard of efficiency and with respect to the due observance of the rules of the establishment.

If the employer or any person so employed acts in contravention of or fails to comply with any such regulation, that employer or person shall be guilty of an offence under this Act.

(6) The owners of an establishment shall have power, notwithstanding anything in any Act, Order, or deed under which they are governed, to do all things necessary for compliance with any provisions of this section, and any owner of an establishment shall comply with any reasonable requirements of the Minister of Munitions as to information or otherwise made for the purposes of this section, and, if he fails to do so, shall be guilty of an offence under this Act.

Where in any establishment munitions work is carried on in some part of the establishment but not in other parts, the Minister of Munitions may, if he considers that it is practicable to do so, treat any part of the establishment in which munitions work is not carried on as a separate establishment, and the provisions of this Act shall take effect accordingly.

Supplementary provisions as to the limitation of the profits of a controlled establishment.

5.—(1) The net profits of a controlled establishment shall be ascertained in accordance with the provisions of this section and rules made thereunder and the amount of profits divisible under this Act shall be taken to be an amount exceeding by one-fifth the standard amount of profits.

(2) The standard amount of profits for any period shall be taken to be the average of the amount of the net profits for the two financial years of the establishment completed next before the outbreak of the war or a proportionate part thereof.

(3) If in any case it appears or is represented to the Minister of Munitions that the net profits or losses of all or any other establishments belonging to the same owner should be brought into account, or that the average under this section affords or may afford an unfair standard of comparison or affords no standard of comparison, the Minister may, if he thinks just, allow those net profits or losses to be brought into account, or substitute for the average such an amount as the standard amount of profits as may be agreed upon with the owner of the establishment.

The Minister of Munitions may, if he thinks fit, and shall, if the owner of the establishment so requires, refer the matter to be determined by a referee or board of referees appointed or designated by him for the purpose, and the decision of the referee or board shall be conclusive on the matter for all purposes.

(4) The Minister of Munitions may make rules for carrying the provisions of this section into effect, and these rules shall provide for due consideration being given in carrying out the provisions of this section as respects any establishment to any special circumstances such as increase of output, provision of new machinery or plant, alteration of capital or other matters which require special consideration in relation to the particular establishment.

Voluntary undertaking to work for Minister of Munitions.

6.—(1) If any workman in accordance with arrangements made by the Minister of Munitions with or on behalf of trade unions enters into an undertaking with the Minister of Munitions that he will work at any controlled establishment to which he may be assigned by the Minister, and be subject to the penalty imposed by this Act if he acts in contravention of or fails to comply with the undertaking, that workman shall if he acts in contravention of or fails to comply with his undertaking be guilty of an offence under this Act.

(2) If any employer dissuades or attempts to dissuade a workman in his employment from entering into an undertaking under this section, or retains or offers to retain in his employment any workman who has entered into such an undertaking after he has received notice from the Minister of Munitions that the workman is to work at some other establishment, that employer shall be guilty of an offence under this Act.

Prohibition of the employment of persons who have left work in munition factories.

7.—(1) A person shall not give employment to a workman, who has within the last previous six weeks, or such other period as may be provided by Order of the Minister of Munitions as respects any class of establishment, been employed on or in connexion with munitions work in any establishment of a class to which the provisions of this section are applied by Order of the Minister of Munitions, unless he holds a certificate from the employer by whom he was last so employed that he left work with the consent of his employer or a certificate from the munitions tribunal that the consent has been unreasonably withheld.

(2) If any workman or his trade union representative complains to a munitions tribunal in accordance with rules made with respect to those tribunals that the consent of an employer has been unreasonably withheld that tribunal may, after examining into the case, if they think fit, grant a certificate which shall, for the purposes of this section, have the same effect as a certificate from the employer.

(3) If any person gives employment in contravention of the provisions of this section, he shall be guilty of an offence under this Act.

Rules as to badges.

8.—(1) The Minister of Munitions may make rules authorising the wearing of badges or other distinctive marks by persons engaged on munitions work or other work for war purposes, and as to the issue and return of any such badges or

marks, and may by those rules prohibit the use, wearing or issue of any such badges or of any badges or marks indicating or suggesting that any person is engaged on munitions work or work for war purposes except as authorised by those rules.

(2) If any person acts in contravention of, or fails to comply with any such rules, he shall be guilty of an offence against this Act.

Application of Part II. to docks used by Admiralty.

9. This Part of this Act shall apply to any docks used by the Admiralty for any purposes connected with the war as it applies to establishments in which munitions work is carried on, with the substitution in relation to any such docks or persons employed in any such docks of the Admiralty for the Minister of Munitions.

Part III.

Amendment of the Defence of the Realm (Amendment) No. 2 Act, 1915. 5 Geo. 5. c. 37.

10. The following paragraph shall be substituted for paragraph (*d*) set out in subsection (1) of section one of the Defence of the Realm (Amendment) No. 2 Act, 1915, and shall be deemed to have been contained in that Act, namely :—

(*d*) to regulate or restrict the carrying on of any work in any factory, workshop, or other premises, or the engagement or employment of any workman or all or any classes of workmen therein, or to remove the plant therefrom with a view to maintaining or increasing the production of munitions in other factories, workshops, or premises, or to regulate and control the supply of metals and material that may be required for any articles for use in war.

Power to require information from employers.

11.—(1) The owner of any establishment in which persons are employed shall, if so required by the Minister of Munitions, give to the Minister such information, in such form and in such manner, as the Minister may require as to

(*a*) the numbers and classes of persons employed or likely to be employed in the establishment from time to time ;

(*b*) the numbers and classes of machines at any such establishment ;

(*c*) the nature of the work on which any such persons are employed, or any such machines are engaged, from time to time ;

(*d*) any other matters with respect to which the Minister may desire information for the purpose of his powers and duties ;

and the Minister may arrange with any other Government department for the collection of any such information.

(2) If the owner of any establishment fails to comply with this section he shall be guilty of an offence under this Act.

Punishment for false statements, &c.

12. If any employer, or the owner of any establishment or any workman, for the purpose of evading any provision of this Act, makes any false statement or representation, or gives any false certificate, or furnishes any false information, he shall be guilty of an offence under this Act.

Payment of members of arbitration and munitions tribunals, &c.

13. There shall be paid out of moneys provided by Parliament to any person being a member of an arbitration tribunal, munitions tribunal, or board of referees under this Act, or being a referee under this Act, and to any other officers required in connexion with any such tribunal or board, such remuneration and travelling or other expenses (including compensation for loss of time) as the Minister of Munitions or Board of Trade, as the case may be, with the sanction of the Treasury may determine.

Penalties.

14.—(1) Any person guilty of an offence under this Act—

(*a*) shall, if the offence is a contravention of or failure to comply with an award, be liable to a fine not exceeding five pounds for each day or part of a day during which the contravention or failure to comply continues, and, if the person guilty of the offence is an employer, for each man in respect of whom the contravention or failure takes place; and

(*b*) shall, if the offence is a contravention of the provisions of this Act with respect to the prevention of lock-outs, be liable to a fine not exceeding five pounds, in respect of each man locked out, for each day or part of a day during which the contravention continues; and

(*c*) shall, if the offence is a contravention of the provisions of this Act with respect to the prohibition of strikes, be liable to a fine not exceeding five pounds for each day or part of a day during which the contravention continues; and

(*d*) shall, if the offence is a contravention of or failure to comply with any regulations in a controlled establishment or any undertaking given by a workman under Part II. of this Act, be liable in respect of each offence to a fine not exceeding three pounds; and

(*e*) shall, if the offence is a contravention of or failure to comply with any other provisions of this Act, be liable in respect of each offence to a fine not exceeding fifty pounds.

(2) A fine for any offence, under this Act, shall be recoverable only before the munitions tribunal established for the purpose under this Act.

Munitions tribunals.

15.—(1) The munitions tribunal shall be a person, appointed for the purpose by the Minister of Munitions, sitting with two or some other even number of assessors, one half being chosen by the Minister of Munitions from a panel constituted by the Minister of Munitions of persons representing employers and the other half being so chosen from a panel constituted by the Minister of Munitions of persons representing workmen and the Minister of Munitions may constitute two classes of munitions tribunals, the first class having jurisdiction to deal with all offences and matters under this Act, the second class having jurisdiction, so far as offences are concerned, to deal only with any contravention of, or failure to comply with, any regulation made applicable to a controlled establishment or any undertaking given by a workman under Part II. of this Act.

The Admiralty shall be substituted for the Minister of Munitions under this provision as the authority to appoint and choose members of a munitions tribunal to deal with offences by persons employed in any docks declared to be controlled establishments by the Admiralty.

(2) The Minister of Munitions or the Admiralty shall constitute munitions tribunals as and when occasion requires.

(3) Rules may be made for regulating the munitions tribunals or either class of munitions tribunals so far as relates to offences under this Act by a Secretary of State, and so far as relates to any other matters which are referred to them under this Act by the Minister of Munitions, and rules made by the Secretary of State may apply, with the necessary modifications, any of the provisions of the Summary Jurisdiction Acts or any provisions applicable to a court of summary jurisdiction, which it appears expedient to apply, and any provisions so applied shall apply to munitions tribunals accordingly.

In the application of this provision to Scotland the Secretary for Scotland shall be substituted for the Secretary of State, and in the application of this provision to Ireland the Lord Lieutenant shall be substituted for the Secretary of State.

(4) A person employed or workman shall not be imprisoned in respect of the non-payment of a fine imposed by a munitions tribunal for an offence within the jurisdiction of a tribunal of the second class, but that tribunal may, without prejudice to any other available means of recovery, make an order requiring such deductions to be made on account of the fine from the wages of the person employed or workman as the tribunal think fit, and requiring the person by whom the wages are paid to account for any sums deducted in accordance with the order.

Power for companies to carry on munitions work.

16. Any company, association, or body of persons shall have power, notwithstanding anything contained in any Act, order, or instrument by or under which it is constituted or regulated, to carry on munitions work during the present war.

Rules to be laid before Parliament.

17. Any rule made under this Act shall be laid before each House of Parliament forthwith, and, if an Address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after any such rule is laid before it praying that the rule may be annulled, His Majesty in Council may annul the rule and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

Application of Documentary Evidence Acts to Ministry of Munitions.
31 & 32 Vict. c. 37.
45 & 46 Vict. c. 9.

18. The Documentary Evidence Act, 1868, as amended by the Documentary Evidence Act, 1882, shall apply to the Minister of Munitions in like manner as if that Minister were mentioned in the first column of the Schedule to the first-mentioned Act, and as if that Minister, or a secretary in the Ministry or any person authorised by the Minister to act on his behalf, were mentioned in the second column of that Schedule, and as if the regulations referred to in those Acts included any document issued by the Minister.

Interpretation.

19. In this Act, unless the context otherwise requires,—

(*a*) The expression "lock-out" means the closing of a place of employment, or the suspension of work, or the refusal by an employer to continue to employ any number of persons employed by him in consequence of a dispute, done with a view to compelling those persons, or to aid another employer in compelling persons employed by him, to accept terms or conditions of or affecting employment:

(*b*) The expression "strike" means the cessation of work by a body of persons employed acting in combination, or a concerted refusal or a refusal under a common understanding of any number of persons employed to continue to work for an employer in consequence of a dispute, done as a means of compelling their employer or any person or body of persons employed, or to aid other workmen in compelling their employer or any person or body of persons employed, to accept or not to accept terms or conditions of or affecting employment.

Short title and duration

20.—(1) This Act may be cited as the Munitions of War Act, 1915.

(2) This Act shall have effect only so long as the office of Minister of Munitions and the Ministry of Munitions exist:

Provided that Part I. of this Act shall continue to apply for a period of twelve months after the conclusion of the present war to any difference arising in relation to the performance by the owner of any establishment of his undertaking to carry out the provisions set out in the Second Schedule to this Act notwithstanding that the office of Minister of Munitions and the Ministry of Munitions have ceased to exist.

SCHEDULES.

SCHEDULE I.

Sections 1, 4.

1. Any difference, matter or question to be referred for settlement in accordance with the provisions of this Schedule shall be referred to one of the three following arbitration tribunals :—

(*a*) The Committee appointed by the First Lord of the Treasury known as the Committee on Production ; or

(*b*) A single arbitrator to be agreed upon by the parties or in default of agreement appointed by the Board of Trade ; or

(*c*) A court of arbitration consisting of an equal number of persons representing employers and persons representing workmen with a chairman appointed by the Board of Trade.

2. The tribunal to which the reference is made shall be determined by agreement between the parties to the difference or in default of such agreement by the Board of Trade.

3. The Arbitration Act, 1889, shall not apply to any reference under the provisions of this Schedule.

SCHEDULE II.

Sections 4 (4), 20.

1. Any departure during the war from the practice ruling in the workshops, shipyards, and other industries prior to the war, shall only be for the period of the war.

2. No change in practice made during the war shall be allowed to prejudice the position of the workmen in the owners' employment, or of their trade unions in regard to the resumption and maintenance after the war of any rules or customs existing prior to the war.

3. In any readjustment of staff which may have to be effected after the war priority of employment will be given to workmen in the owners' employment at the beginning of the war who have been serving with the colours or who were in the owners' employment when the establishment became a controlled establishment.

4. Where the custom of a shop is changed during the war by the introduction of semi-skilled men to perform work hitherto performed by a class of workmen of higher skill, the time and piece rates paid shall be the usual rates of the district for that class of work.

5. The relaxation of existing demarcation restrictions or admission of semi-skilled or female labour shall not affect adversely the rates customarily paid for the job. In cases where men who ordinarily do the

work are adversely affected thereby, the necessary readjustments shall be made so that they can maintain their previous earnings.

6. A record of the nature of the departure from the conditions prevailing when the establishment became a controlled establishment shall be kept, and shall be open for inspection by the authorised representative of the Government.

7. Due notice shall be given to the workmen concerned wherever practicable of any changes of working conditions which it is desired to introduce as the result of the establishment becoming a controlled establishment, and opportunity for local consultation with workmen or their representatives shall be given if desired.

8. All differences with workmen engaged on Government work arising out of changes so introduced or with regard to wages or conditions of employment arising out of the war shall be settled in accordance with this Act without stoppage of work.

9. Nothing in this Schedule (except as provided by the fourth paragraph thereof) shall prejudice the position of employers or persons employed after the war.

CHAPTER 55.

An Act to make further provision for raising Money for the present War, and for purposes incidental thereto.

[2nd July 1915.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies granted to Your Majesty, have resolved that money be raised in manner provided by this Act; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of new war loan.

1.—(1) Any money required for the raising of any supply granted to His Majesty for the service of the year ending the thirty-first day of March nineteen hundred and sixteen, and, in addition, of a sum not exceeding two hundred and fifty million pounds, or for the raising of any sums required for cancelling securities or Treasury bills under the powers of this Act, may be raised in such manner as the Treasury think fit, and for that purpose they may create and issue any securities by means of which any public loan has been raised or may be raised, or such other securities bearing such rate of interest and subject to such conditions as to repayment, redemption, or otherwise, as they think fit.

(2) Subsections (2) and (3) of section one of the War Loan Act, 1914, and subsections (2) and (3) of section fourteen of the Finance Act, 1914 (Session 2), shall apply to any sums or loan raised or any stock issued under this Act as they apply to sums or loans raised or stock issued under the War Loan Act, 1914. 4 & 5 Geo. 5. c. 60. 5 & 6 Geo. 5. c. 7.

(3) The Treasury may, in connection with any issue of securities for the purposes of this Act, arrange for giving an option (subject to such conditions and on such terms as the Treasury determine, and with or without payment of any further consideration) to any holders of consolidated two-and-a-half per cent. annuities, or two-and-three-quarters per cent. annuities, or two-and-a-half per cent. annuities, or three-and-a-half per cent. war stock and war bonds issued under the War Loan Act, 1914, to take new securities in lieu of those annuities, stock, or bonds, and may create securities for the purpose, and any securities surrendered for the purpose of exchange shall be cancelled.

Any sums received in pursuance of any option given under this provision shall be paid into the Exchequer.

The principal and interest of any securities issued for the purpose of any exchange under this provision, and any expenses incurred in connection with that exchange and the issue of securities for the purpose thereof, shall be charged on the Consolidated Fund of the United Kingdom or the growing produce thereof.

(4) The Treasury may make rules for carrying into effect the provisions of this Act as to the exchange of securities, and may by those rules provide, with the necessary modifications, for the matters for which provision could be made under section twenty-nine of the National Debt (Conversion) Act, 1888, and may also by those rules apply, with such modifications as may be necessary, any of the provisions of Part IV. of that Act (whether repealed or not) which they think it expedient to apply. 51 & 52 Vict. c. 2.

(5) The Treasury may, as and when they think fit, cancel any securities issued under the War Loan Act, 1914, or any Treasury bills which may be surrendered in pursuance of any arrangement made with the Treasury for the purpose, and may issue from the Consolidated Fund or the growing produce thereof any money required for the purpose of carrying out the arrangement.

(6) There shall be paid to the Banks of England and Ireland, respectively, out of the Consolidated Fund or the growing produce thereof for the management in every financial year of any securities issued under the War Loan Act, 1914, and under this Act, such sums as may be agreed upon between the Treasury and those Banks respectively.

2. This Act may be cited as the War Loan Act, 1915, and the War Loan Act, 1914, and this Act may be cited together as the War Loan Acts, 1914 and 1915. Short title.

CHAPTER 56.

An Act to enable Trustees to borrow money for the purpose of exercising any Option to convert Securities given under the War Loan Act, 1915, to Holders of that Loan, and to indemnify Trustees for any Loss in respect of any such borrowing, or any transaction in relation to the Loan, and to authorise the investment of moneys subject to any trust in any Securities created under that Act. [2nd July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to borrow for the purpose of obtaining, under the War Loan Act, 1915, conversion of securities. 4 & 5 Geo. 5. c. 60. 5 & 6 Geo. 5. c. 55.

1. Any trustees who are holders of consolidated two-and-a-half per cent. annuities, two-and-three-quarters per cent. annuities, or two-and-a-half per cent. annuities, or three-and-a-half per cent. war stock or war bonds issued under the War Loan Act, 1914 (in this Act referred to as convertible securities), may borrow as provided by this Act such sums as may be requisite for the purpose of subscribing for such an amount of the loan issued under the War Loan Act, 1915, as will enable them to obtain securities issued under that Act in exchange for all or any of the convertible securities held by them and for paying the expenses of such borrowing; and any money so borrowed shall be applied in subscriptions to the loan under the War Loan Act, 1915, and in payment of such expenses.

Any such sums may be borrowed on the security of the convertible securities held by the trustees and the securities obtained by them by means of subscription to the loan under the War Loan Act, 1915.

Investment of sums in court.

2. It is hereby declared that any sum paid into any court, or otherwise under the control of any court, may, without prejudice to any other mode of investment, be invested in securities created under the War Loan Act, 1915; and any sums paid into court, or otherwise under the control of the court, before the passing of this Act may, in pursuance of any order of the court, or in accordance with rules of court, be realised and re-invested in those securities.

Indemnity

3. A trustee shall not be liable for any loss resulting from any borrowing under this Act, or from any subscription to or investment in the loan under the War Loan Act, 1915, or the sale of any securities for the purpose of any such subscription or investment, or from the exercising of any option to convert securities under that Act; and trustees and other persons acting in a fiduciary character are hereby expressly authorised to exercise such powers of borrowing, subscription, investment, or conversion.

Application and short title.

4.—(1) This Act shall apply to any officer or department who holds funds on account of or for the benefit of any persons or class of persons as part of, or in consequence of, the duties of the department or office, but shall not apply to any trustee under an implied or constructive trust.

(2) This Act may be cited as the War Loan (Trustees) Act, 1915.

CHAPTER 57.

An Act to amend the Enactments relating to Prize Courts. [2nd July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to transfer proceedings from one prize court to another.

1.—(1) Where proceedings are pending in any prize court against any ship or cargo, the court may at any stage of the proceedings, on application being made by the proper officer of the Crown, and upon being satisfied that the proceedings, or the proceedings so far as they relate to the cargo or any part thereof, would be more conveniently conducted in any other prize court, make an order remitting the proceedings, or the proceedings so far as they relate to the cargo or to any part of the cargo, to such other prize court.

(2) Where any proceedings have been remitted to another prize court that other court shall have the same jurisdiction to deal with the matter as if the subject-matter of those proceedings had originally been seized within its jurisdiction or been brought within its jurisdiction after capture, and any order or other steps made or taken in those proceedings before the order of remission shall be deemed to have been made or taken by or in that court.

Power to make orders enforceable by other prize courts.

2. A prize court may, as respects any cause or matter within its jurisdiction, and on the application of the proper officer of the Crown, declare that any order or decree made by it, whether before or after the commencement of this Act, is enforceable within the jurisdiction of another prize court, and shall, on the like application, have power to enforce any decree or order which another prize court has declared to be enforceable within the jurisdiction of such first-mentioned court.

Supplemental powers of prize courts.

3.—(1) Where a prize court under this Act orders the remission of any proceedings, or declares that any order or decree is enforceable by another prize court, the first-mentioned

court may order the subject-matter of the proceedings, or of the order or decree, to be removed, in such manner and subject to such conditions as the court thinks fit, into the jurisdiction of the other court, and, where any such order of removal is made, either court may direct that any expenses incurred in the removal shall be borne by the cargo or any part of the cargo or the ship in such manner as the court thinks proper.

(2) For the purpose of the voyage of a ship from the jurisdiction of one court to that of another under such an order of removal, the ship, if not a British ship, shall be treated as if it were a British ship registered in the United Kingdom.

(3) The power of His Majesty in Council to make rules for regulating the procedure and practice of prize courts shall extend to making rules for carrying this Act into effect.

(4) The powers conferred by this Act are without prejudice to any other powers which the High Court in England may possess for the like purposes independently of this Act, and to the obligation imposed on prize courts by section nine of the Naval Prize Act, 1864.

27 & 28 Vict. c. 25.

Salaries and remuneration of judges and officers of prize courts.

4.—(1) The power conferred by section ten of the Naval Prize Act, 1864, to grant salaries in lieu of fees to judges of prize courts shall be extended so as also to confer a power of granting a remuneration by way of a lump sum, and, as so extended, shall, notwithstanding anything in any other enactment, apply also to officers of prize courts or performing duties in connection with matters of prize :

Provided that the powers under that section or this section shall not be exercised as respects any prize court in India except on the application of the Governor General of India in Council, or as respects any prize court in the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, or Newfoundland, except on the application of the Governor General or of the Governor in Council, as the case may be.

(2) This section shall be deemed to have had effect since the commencement of the present war.

Short title and construction.

5. This Act may be cited as the Prize Courts Act, 1915, and shall be construed as one with the Naval Prize Act, 1864; and the Naval Prize Acts, 1864 to 1914, and the Prize Courts (Egypt, Zanzibar, and Cyprus) Act, 1914, and this Act may be cited together as the Naval Prize Acts, 1864 to 1915.

4 & 5 Geo. 5. c. 79.

CHAPTER 58.

An Act to amend the Army Act. [2nd July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provisions as to separation allowances.

1.—(1) Section one hundred and forty-one of the Army Act (which prohibits the assignment of pay and other allowances) shall extend to allowances to wives and dependants of officers and soldiers; and, accordingly, in that section, immediately before the word "widow," there shall be inserted the word "wife," and for the word "relative" there shall be substituted the word "dependant."

(2) Subsection (9) of section one hundred and fifty-six of the Army Act (which restricts the pledging of identity certificates and life certificates by persons entitled to military pensions, pay and bounty) shall extend to separation or other allowances and relief, and accordingly, in that subsection, after the word "bounty," wherever it occurs, there shall be inserted the words "allowance or relief."

Amendment of s. 108A (3) (*d*) of Army Act.

2. In paragraph (*d*) of subsection (3) of section 108A of the Army Act (which relates to billeting in cases of emergency), for the words "and paragraph (2) of Part II. of the Second "Schedule to the Army Act" there shall be substituted "so "much of paragraph (2) of Part I. of the Second Schedule to "this Act as limits the period during which meals are required "to be furnished, and paragraph (2) of Part II. of that "schedule."

Amendment of s. 121 (2) of Army Act.

3. In paragraph (2) of section one hundred and twenty-one of the Army Act (which relates to fraudulent claims for carriages, animals, &c.), after the words "have his horse billeted" there shall be inserted the words "or personates or represents "himself to be a person authorised to act in the purchase or "hire, for the purposes of His Majesty's military service, of any "carriage, animal, vessel, aircraft, food, forage, or stores."

Amendment of s. 145 (2) of Army Act.

4. Subsection (2) of section one hundred and forty-five of the Army Act (which relates to the liability of a soldier to maintain his wife and children) shall be repealed from the words "the Army Council or officer shall order" to the end of the subsection; and in lieu thereof there shall be substituted the following provision:—

"the Army Council or officer shall order to be deducted from "the daily pay of the soldier, and to be appropriated in liqui- "dation of the sum adjudged to be paid by such order or

" decree, or towards the maintenance of the wife or children of " the soldier, as the case may be, in such manner as the Army " Council or officer think or thinks fit, a portion of such daily " pay not exceeding—

where the soldier is a warrant officer (Class I.) not holding an honorary commission—in respect of a wife or children, one shilling and sixpence, and in respect of a bastard child, one shilling;

where the soldier is a warrant officer (Class II.) not holding an honorary commission, or a non-commissioned officer who is not below the rank of sergeant—in respect of a wife or children, one shilling, and in respect of a bastard child, sevenpence;

in the case of any other soldier—in respect of a wife or children, sixpence, and in respect of a bastard child, fourpence.

Explanation of s. 154 of Army Act.

5. For removing any doubt it is hereby declared that section one hundred and fifty-four of the Army Act which relates to the apprehension of deserters, applies to absentees without leave, and accordingly in that section, after the word "deserters," there shall be inserted the words "and absentees without leave," and after the word "deserter," wherever it occurs, there shall be inserted the words "or absentee without leave."

Amendment of s. 156 (1) of Army Act.

6. In subsection (1) of section one hundred and fifty-six of the Army Act (which relates to the acquisition from soldiers of military equipment, stores, and other things), for the words "a soldier" and "any soldier," wherever they occur in that subsection, there shall be substituted the words "an officer or soldier."

Amendment of s. 190 (27) of Army Act.

7. In paragraph (27) of section one hundred and ninety of the Army Act, for the words "the expression 'governor' as " respects the presidency of Bengal means the Governor-General " of India in Council and as respects the presidencies of Madras " and Bombay means the Governor in Council of the presidency" there shall be substituted the words "the expression 'governor' " as respects any presidency in India means the Governor in " Council of the presidency."

Amendments consequential on 4 & 5 Geo. 5. c. 26.

8. The amendments mentioned in the Schedule to this Act, being amendments consequential on the Army (Supply of Food, Forage, and Stores) Act, 1914, shall be made in the Army Act.

Short title.

9. This Act may be cited as the Army (Amendment) No. 2 Act, 1915.

SCHEDULE.

Section 8.

Amendments consequential on the Army (Supply of Food, Forage, and Stores) Act, 1914.

Provision of Army Act to be amended.	Amendment to be made.
Section 31 (1) (7) & (8)	For the words "vessels or aircraft" wherever they occur there shall be substituted the words "vessels, aircraft, food, forage, or stores." For the words "vessel or aircraft" wherever they occur there shall be substituted the words "vessel, aircraft, food, forage, or stores."
Section 115 (3) - -	For the words "carriages, animals, vessels, and aircraft" there shall be substituted the words "carriages, animals, vessels, aircraft, food, forage, and stores." For the words "and shall apply to vessels and aircraft as if the expression carriages included vessels and aircraft" there shall be substituted the words "and shall apply to vessels, aircraft, food, forage, and stores in like manner in all respects as they apply to carriages."
Section 115 (4) - -	For the words "carriages, animals, vessels, and aircraft" there shall be substituted the word "articles." For the words "carriage, animal, vessel, or aircraft" wherever they occur there shall be substituted the word "article." For the words "through which it travelled" there shall be substituted the words "through which it travelled or was carried."
Section 115 (6) - -	For the words "vessels and aircraft" where they first occur there shall be substituted the words "vessels, aircraft, food, forage, and stores." For the words "to demand carriages, animals, vessels, and aircraft" there shall be substituted the words "to make such demand."
Section 115 (7) - -	For the words "vessels and aircraft" there shall be substituted the words "vessels, aircraft, food, forage, and stores."
Section 115 (8 - -	For the words "carriages, animals, vessels, or aircraft" there shall be substituted the word "articles." For the words "a carriage, animal, vessel, or aircraft" there shall be substituted the words "any such article." For the words "the said carriage, animal, vessel, or aircraft" there shall be substituted the words "the article requisitioned."

Provision of Army Act to be amended.	Amendment to be made.
Section 115 (9) - -	For the words "vessels and aircraft" there shall be substituted the words "vessels, aircraft, food, forage, and stores."
Section 116 (1) - -	For the words "vessels or aircraft" there shall be substituted the words "vessels, aircraft, food, forage, or stores."
Section 116 (2) and (3)	For the words "carriage, animal, vessel, or aircraft" wherever they occur there shall be substituted the words "such article."
Section 117 - -	For the words "a carriage, animal, vessel, or aircraft," "any carriage, animal, vessel, or aircraft," and "carriages, animals, vessels, or aircraft," there shall respectively be substituted the words "any article."
Section 119 (1) (*b*) -	For the words "owner or driver" there shall be substituted the words "owner of any article or the person in charge."
Section 121 (2) - -	For the words "vessel or aircraft" there shall be substituted the words "vessel, aircraft, food, forage, or stores."

CHAPTER 59.

An Act to postpone the operation of the Milk and Dairies Act, 1914, and the Milk and Dairies (Scotland) Act, 1914. [2nd July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Postponement of Milk and Dairies Acts. 4 & 5 Geo. 5. c. 49. 4 & 5 Geo. 5. c. 46.

1. The Milk and Dairies Act, 1914, and the Milk and Dairies (Scotland) Act, 1914, shall, notwithstanding anything in those Acts, not come into operation until such date, not being later than the expiration of one year after the termination of the present war, as the Local Government Board and the Local Government Board for Scotland may respectively by order appoint.

Short title.

2. This Act may be cited as the Milk and Dairies Acts Postponement Act, 1915.

CHAPTER 60.

An Act for the compilation of a National Register.

[15th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Register of persons between the ages of fifteen and sixty-five.

1. A register shall be formed of all persons, male and female, between the ages of fifteen and sixty-five (not being members of any of His Majesty's naval forces or of His Majesty's regular or territorial forces), subject to the exceptions mentioned in this Act.

Registration authorities and districts.

2. The Registrar-General, acting under the directions of the Local Government Board, shall be the central registration authority, and the Common Council of the City of London, and the councils of metropolitan and municipal boroughs, and of urban and rural districts, and the Council of the Scilly Islands shall be the local registration authorities for their respective areas, and each such area shall be a separate registration district; but any such council may delegate to a committee of the council all or any of their powers as such local registration authority as aforesaid.

Duty to compile register.

3. It shall be the duty of the local registration authority, in accordance with instructions issued by the Local Government Board, to compile and maintain the register so far as it relates to their area, to tabulate the contents thereof, and to make them available for such purposes as may be prescribed, and to furnish to the central registration authority and to other Government Departments such returns therefrom as may be required.

Duty to fill up and return forms.

4.—(1) For the purpose of enabling such a register to be compiled it shall be the duty of every such person as aforesaid, within the prescribed time, to fill up and sign a form showing the following particulars:—

(*a*) name; place of residence; age; whether single, married, or widowed; number of dependants (if any), distinguishing wife, children, and other dependants; profession or occupation (if any); name and business address of employer (if any), and nature of employer's business; and (in the case of a person born abroad) nationality, if not British; and

(*b*) whether the work on which he is employed is work for or under any Government Department;

(c) whether he is skilled in and able and willing to perform any work other than the work (if any) at which he is at the time employed, and, if so, the nature thereof.

(2) The central registration authority shall cause forms to be prepared and issued to the local registration authorities, and every local registration authority shall, in accordance with instructions from the Local Government Board, cause the forms to be distributed so as to secure that, as far as possible, a sufficient number of forms shall be left at every dwelling-house within their registration district, and shall also give public notice as to the places within the registration district where forms can be obtained.

(3) The local registration authority shall also make arrangements for the collection, in the prescribed manner and within the prescribed times, of forms when filled up and signed.

Completion and correction of forms.

5. The local registration authority shall cause the forms, when filled up and signed, to be examined, and such of them as appear to be incomplete or incorrect to be completed or corrected, and may take such steps as appear to them necessary to enable such completion or correction to be effected, and where it appears to the local registration authority that no form has been returned, or that the form returned cannot be completed or corrected without the personal attendance of the person concerned, they may require his attendance at such place, and at such time as they may appoint, and it shall be the duty of every person whose attendance is so required to attend, and to answer such questions as may be addressed to him for the purpose of enabling the form to be filled up, completed, or corrected.

Right to certificates of registration.

6. After the return by a person of a form filled up and signed, and, where necessary, completed and corrected, in accordance with this Act, there shall be supplied to him a certificate of registration, which shall be signed and preserved by him.

Notification of changes of address, &c.

7.—(1) If any person registered under this Act changes his place of residence he shall, unless such change is merely temporary, within twenty-eight days thereafter send or deliver to the local registration authority of the district in which the new place of residence is situate, by post or otherwise, his certificate of registration, with the new place of residence noted thereon, and there shall be supplied to him a fresh certificate of registration, and, if his new place of residence is in a different district from that in which the previous place of residence was situate, the local registration authority receiving the certificate shall communicate the change to the local registration authority of the last-mentioned district, and the change shall be noted in the register.

(2) Within twenty-eight days after the arrival in the United Kingdom of any person between such ages as aforesaid, he shall, if not previously registered, send or deliver to a local registration authority, by post or otherwise, notice of his arrival, together with the particulars concerning himself required by this Act to be registered, and shall, if so required, attend at such place and time as the authority may appoint, and shall answer such questions as may be addressed to him for the purpose of enabling the necessary particulars to be registered, and thereupon shall be supplied with a certificate of registration.

Matters to be prescribed by instructions.

8. The Local Government Board may issue such instructions as appear to them to be necessary for carrying this Act into effect, and may by such instructions prescribe—

(*a*) the manner in which the register is to be compiled, and the nature of the forms to be issued; and

(*b*) the duties of registration authorities, and persons employed by them under this Act; and

(*c*) anything authorised by this Act to be prescribed.

Expenses.

9.—(1) The expenses of the Local Government Board and Registrar-General in carrying this Act into operation, to such an amount as the Treasury may sanction, shall be defrayed out of money provided by Parliament.

(2) There shall be paid, out of money provided by Parliament, to the local registration authorities, towards their expenses under this Act, allowances on such scale as the Treasury may approve, and the expenses of local registration authorities under this Act, so far as not covered by such allowances, shall be paid, in the case of a municipal borough council out of the borough fund or borough rate, and in the case of any other local registration authority out of the fund or rate out of which the general expenses of the authority are payable.

Duty of employers to furnish information.

10. For the purposes of facilitating the compilation and maintenance of the register, it shall be the duty of any employer of labour (including heads of Government departments) to supply to any registration authority such information and render such assistance as may be prescribed in respect of such persons in his employment as are required to be registered under this Act.

Registration in one area only.

11. No person shall be registered in more than one area, and, if any person is liable to be registered in two or more areas, he shall have liberty to choose in which area he shall be registered.

Exceptions.

12. The duty of registering under this Act shall not, except to such extent as may be prescribed, apply to any prisoner in a prison, certified lunatic or defective, or inmate of any poor law

institution, hospital, or other prescribed institution, nor to a prisoner of war or a person who is interned.

Penalties for offences.

13.—(1) If any person employed under this Act makes wilful default in the performance of any of his duties under this Act, he shall for each offence be liable, on conviction under the Summary Jurisdiction Acts, to a fine not exceeding five pounds.

(2) If any person employed in collecting, correcting, or completing forms, or otherwise acting in the compilation or maintenance of the register, or the tabulation of the contents thereof, or any person using the register, communicates without lawful authority any information acquired in the course of his employment, or from such use, he shall, on conviction under the Summary Jurisdiction Acts, be liable to imprisonment with or without hard labour for a term not exceeding three months, or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

(3) If any person over eighteen years of age required to register himself under this Act—

(*a*) refuses, or without lawful excuse neglects, to fill up or cause to be filled up a form to the best of his knowledge and belief, or to sign it as by this Act required; or

(*b*) refuses, or without lawful excuse neglects, to attend at any place or time at which his attendance is required under this Act; or

(*c*) wilfully makes or signs, or causes to be made or signed, any false return of any matter specified in the form; or

(*d*) refuses to answer, or wilfully gives a false answer to, any question necessary for obtaining the information required to be obtained under this Act; or

(*e*) refuses, or without lawful excuse neglects, to perform any other duty imposed on him by or under this Act;

he shall for each offence be liable, on conviction under the Summary Jurisdiction Acts, to a fine not exceeding five pounds, and in the case of a continuing offence to a further fine not exceeding one pound for each day during which the offence continues.

(4) If any person falsely represents himself to be a person to whom a certificate of registration has been issued under this Act, he shall, on conviction under the Summary Jurisdiction Acts, be liable to imprisonment with or without hard labour for a term not exceeding three months, or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

14. In the application of this Act to Scotland— Application to Scotland.

(1) "Secretary for Scotland" shall be substituted for "Local Government Board" and "Board"; "Registrar-General for Scotland" for "Registrar-General":

(2) The council of a county, and the town council of a royal, parliamentary, or police burgh, shall be the local registration authorities for their respective areas, and each such area shall be a separate registration district; provided that the boundaries of a royal or parliamentary burgh for police purposes shall be the boundaries thereof for the purposes of this Act; and provided further that a local registration authority shall be entitled to call upon the other local authorities within its area for their assistance and co-operation to such extent and subject to such conditions as may be prescribed. Any two or more local registration authorities may combine for the purposes of this Act, subject to such conditions as may be prescribed:

(3) The expenses of local registration authorities under this Act, so far as not covered by allowances from the Treasury, shall be paid, in the case of a county council out of the general purposes rate, and in the case of a town council out of the burgh general improvement assessment or any other assessment leviable by the town council in equal proportions on owners and occupiers; provided that the ratepayers of a police burgh shall not be assessed by the county council for any such expenses.

15. This Act shall apply to Ireland to such extent and subject to such modifications as are hereinafter mentioned:— Application to Ireland.

(1) The Lord Lieutenant may, by Order, apply section one of this Act, with the necessary modifications, to Ireland or to any area or areas in Ireland specified in the Order:

(2) The register for Ireland, or, as the case may be, for any such area or areas as aforesaid, shall be formed under the directions of the Lord Lieutenant by the Registrar-General of Births, Deaths, and Marriages in Ireland (in this section referred to as the Registrar-General for Ireland), whose duty it shall be to compile and maintain the register from information at his disposal or furnished by any other officer or department of the Government pursuant to such directions, or by the council of any county or of any county borough which may be desirous of assisting in the formation of the register:

(3) The register shall contain, as respects the persons registered, the particulars set forth in paragraphs (*a*), (*b*),

and (c) of subsection (1) of section four of this Act, so far as the same have been ascertained from the information at the disposal of or furnished to the Registrar-General for Ireland as aforesaid, and the Registrar-General for Ireland shall tabulate the contents and make them available for such purposes as may be ordered by the Lord Lieutenant:

(4) As respects areas in Ireland to which section one of this Act is not applied, lists of persons desiring to be registered may, if the Lord Lieutenant thinks proper, be compiled by the Registrar-General for Ireland under the directions of the Lord Lieutenant, and the Lord Lieutenant for that purpose may cause forms to be issued to any such persons on their application:

(5) The expenses of the Lord Lieutenant and of the Registrar-General for Ireland in carrying this Act into operation shall, to such an extent as the Treasury may sanction, be defrayed out of money provided by Parliament:

(6) There shall be paid, out of moneys provided by Parliament, towards expenses incurred, with the sanction of the Local Government Board for Ireland, by county councils and county borough councils in assisting in the formation of the register, allowances on such scale as the Treasury may approve, and such expenses, so far as not covered by the allowances, shall be defrayed in the case of a county council out of the poor rate as a county at large charge, and in the case of a county borough council out of the rate or fund applicable to the purposes of the Public Health (Ireland) Acts, 1878 to 1907:

(7) Save as provided in this section, the foregoing provisions of this Act shall not apply to Ireland.

Short title and duration.

16.—(1) This Act may be cited as the National Registration Act, 1915.

(2) This Act shall continue in force during the continuance of the present war and no longer, without prejudice, however, to the taking or prosecution of proceedings for any offence committed before the expiration of this Act.

CHAPTER 61.

An Act to consolidate enactments relating to the Government of India. [29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.

Home Government.

The Crown.

Government of India by the Crown.

1. The territories for the time being vested in His Majesty in India are governed by and in the name of His Majesty the King, Emperor of India, and all rights which, if the Government of India Act, 1858, had not been passed, might have been exercised by the East India Company in relation to any territories, may be exercised by and in the name of His Majesty as rights incidental to the government of India.

The Secretary of State.

The Secretary of State.

2.—(1) Subject to the provisions of this Act, the Secretary of State has and performs all such or the like powers and duties relating to the government or revenues of India, and has all such or the like powers over all officers appointed or continued under this Act, as, if the Government of India Act, 1858, had not been passed, might or should have been exercised or performed by the East India Company, or by the Court of Directors or Court of Proprietors of that Company, either alone or by the direction or with the sanction or approbation of the Commissioners for the Affairs of India, in relation to that government or those revenues and the officers and servants of that Company, and also all such powers as might have been exercised by the said Commissioners alone. 21 & 22 Vict., c. 106.

(2) In particular, the Secretary of State may, subject to the provisions of this Act, superintend, direct and control all acts, operations and concerns which relate to the government or revenues of India, and all grants of salaries, gratuities and allowances, and all other payments and charges, out of or on the revenues of India.

(3) There shall be paid out of the revenues of India to the Secretary of State and to his under secretaries respectively the like yearly salaries as may for the time being be paid to any other Secretary of State and his under secretaries respectively.

The Council of India.

The Council of India.

3.—(1) The Council of India shall consist of such number of members, not less than ten and not more than fourteen, as the Secretary of State may determine.

(2) The right of filling any vacancy in the council shall be vested in the Secretary of State.

(3) Unless at the time of an appointment to fill a vacancy in the council nine of the then existing members of the council are persons who have served or resided in British India for at least ten years, and have not last left British India more than five years before the date of their appointment, the person appointed to fill the vacancy must be so qualified.

(4) Every member of the council shall hold office, except as by this section provided, for a term of seven years.

(5) The Secretary of State may, for special reasons of public advantage, re-appoint for a further term of five years any member of the council whose term of office has expired. In any such case the reasons for the re-appointment shall be set forth in a minute signed by the Secretary of State and laid before both Houses of Parliament. Save as aforesaid, a member of the council shall not be capable of re-appointment.

(6) Any member of the council may, by writing signed by him, resign his office. The instrument of resignation shall be recorded in the minutes of the council.

(7) Any member of the council may be removed by His Majesty from his office on an address of both Houses of Parliament.

(8) There shall be paid to each member of the council out of the revenues of India the annual salary of one thousand pounds.

Seat in council disqualification for Parliament.

4. No member of the Council of India shall be capable of sitting or voting in Parliament.

Duties of council.

5. The Council of India shall, under the direction of the Secretary of State, and subject to the provisions of this Act, conduct the business transacted in the United Kingdom in relation to the government of India and the correspondence with India; but every order or communication sent to India, and every order made in the United Kingdom in relation to the government of India under this Act, shall be signed by the Secretary of State.

Powers of council.

6.—(1) All powers required to be exercised by the Secretary of State in Council, and all powers of the Council of India, shall be exercised at meetings of the council at which not less than five members are present.

(2) The council may act notwithstanding any vacancy in their number.

President and vice-president of council.

7.—(1) The Secretary of State shall be the president of the Council of India, with power to vote.

(2) The Secretary of State in Council may appoint any member of the council to be vice-president thereof, and the Secretary of State may at any time remove any person so appointed.

(3) At every meeting of the council the Secretary of State, or, in his absence, the vice-president, if present, or, in the absence of both of them, one of the members of the council, chosen by the members present at the meeting, shall preside.

Meetings of council.

8. Meetings of the Council of India shall be convened and held as and when the Secretary of State directs, but one such meeting at least shall be held in every week.

Procedure at meetings.

9.—(1) At any meeting of the Council of India at which the Secretary of State is present, if there is a difference of opinion on any question, except a question with respect to which a majority of votes at a meeting is by this Act declared to be necessary, the determination of the Secretary of State shall be final.

(2) In case of an equality of votes at any meeting of the council, the person presiding at the meeting shall have a second or casting vote.

(3) All acts done at a meeting of the council in the absence of the Secretary of State shall require the approval in writing of the Secretary of State.

(4) In case of difference of opinion on any question decided at a meeting of the council, the Secretary of State may require that his opinion and the reasons for it be entered in the minutes of the proceedings, and any member of the council, who has been present at the meeting, may require that his opinion, and any reasons for it that he has stated at the meeting, be also entered in like manner.

Committees of council.

10. The Secretary of State may constitute committees of the Council of India for the more convenient transaction of business, and direct what departments of business are to be under those committees respectively, and generally direct the manner in which all business of the council or committees thereof is to be transacted.

Orders and Communications.

Submission of proposed orders and communications to council.

11.—(1) Subject to the provisions of this Act, every order or communication proposed to be sent to India, and every order proposed to be made in the United Kingdom by the Secretary of State under this Act, shall, unless it has been submitted to a meeting of the Council of India, be deposited in the council

room for the perusal of all members of the council during seven days before the sending or making thereof.

(2) Any member of the council may record, in a minute book kept for that purpose, his opinion with respect to any such order or communication, and a copy of every opinion so recorded shall be sent forthwith to the Secretary of State.

(3) If a majority of the council so record their opinions against any act proposed to be done, the Secretary of State shall, unless he defers to the opinion of the majority, record his reasons for acting in opposition thereto.

Exception as to cases of urgency.

12.—(1) Where it appears to the Secretary of State that the despatch of any communication or the making of any order, not being an order for which a majority of votes at a meeting of the Council of India is by this Act declared to be necessary, is urgently required, the communication may be sent or order made, although it has not been submitted to a meeting of the council or deposited for the perusal of the members of the council.

(2) In any such case the Secretary of State shall, except as by this Act provided, record the urgent reasons for sending the communication or making the order, and give notice thereof to every member of the council.

Exeption as to secret orders and despatches.

13.—(1) Where an order concerns the levying of war or the making of peace, or the treating or negotiating with any prince or state, or the policy to be observed with respect to any prince or state, and is not an order for which a majority of votes at a meeting of the Council of India is by this Act declared to be necessary, and is an order which, in the opinion of the Secretary of State, is of a nature to require secrecy, the Secretary of State may send the order to the Governor-General in Council or to any Governor in Council or officer or servant in India without having submitted the order to a meeting of the council or deposited it for the perusal of the members of the council, and without recording or giving notice of the reasons for making the order.

(2) Where any despatch to the Secretary of State from the Governor-General in Council or a Governor in Council concerns the government of India or of any part thereof, or the levying of war, or the making of peace, or negotiations or treaties with any prince or state, and is, in the opinion of the authority sending it, of a nature to require secrecy, it may be marked "Secret" by that authority; and a despatch so marked shall not be communicated to the members of the Council of India unless the Secretary of State so directs.

Address of despatches from India.

14. Every despatch to the United Kingdom from the Governor-General in Council or a Governor in Council shall be addressed to the Secretary of State.

Communication to Parliament as to orders for commencing hostilities.

15. When any order is sent to India directing the actual commencement of hostilities by His Majesty's forces in India, the fact of the order having been sent shall, unless the order has in the meantime been revoked or suspended, be communicated to both Houses of Parliament within three months after the sending of the order, or, if Parliament is not sitting at the expiration of those three months, then within one month after the next meeting of Parliament.

Correspondence by governor-general with Secretary of State.

16. It is the duty of the Governor-General in Council to transmit to the Secretary of State constantly and diligently an exact particular of all advices or intelligence, and of all transactions and matters, coming to the knowledge of the Governor-General in Council and relating to the government, commerce, revenues or affairs of India.

Establishment of Secretary of State.

Establishment of Secretary of State.

17.—(1) No addition may be made to the establishment of the Secretary of State in Council, nor to the salaries of the persons on that establishment, except by an Order of His Majesty in Council, to be laid before both Houses of Parliament within fourteen days after the making thereof, or, if Parliament is not then sitting, then within fourteen days after the next meeting of Parliament.

(2) The rules made by His Majesty for examinations, certificates, probation or other tests of fitness, in relation to appointments to junior situations in the civil service, shall apply to such appointments on the said establishment.

(3) The Secretary of State in Council may, subject to the foregoing provisions of this section, make all appointments to and promotions in the said establishment, and may remove any officer or servant belonging to the establishment.

Pensions and gratuities.

18. His Majesty may, by warrant under the Royal Sign Manual, countersigned by the Chancellor of the Exchequer, grant to any secretary, officer or servant appointed on the establishment of the Secretary of State in Council, such compensation, superannuation or retiring allowance, or to his legal personal representative such gratuity, as may respectively be granted to persons on the establishment of a Secretary of State, or to the personal representatives of such persons, under the laws for the time being in force concerning superannuations and other allowances to persons having held civil offices in the public service or to personal representatives of such persons.

Indian Appointments.

Indian appointments.

19. Except as otherwise provided by this Act, all powers of making rules in relation to appointments and admissions to service and other matters connected therewith, and of altering or revoking such rules, which, if the Government of India Act, 1858, had not been passed, might have been exercised by the

Court of Directors of the East India Company or the Commissioners for the Affairs of India, may be exercised by the Secretary of State in Council:

Provided that in the appointment of officers to His Majesty's army the same provision as heretofore, or equal provision, shall be made for the appointment of sons of persons who have served in India in the military or civil service of the Crown or of the East India Company.

PART II.

THE REVENUES OF INDIA.

Application of revenues.

20.—(1) The revenues of India shall be received for and in the name of His Majesty, and shall, subject to the provisions of this Act, be applied for the purposes of the government of India alone.

(2) There shall be charged on the revenues of India alone—

(*a*) all the debts of the East India Company; and

(*b*) all sums of money, costs, charges and expenses which, if the Government of India Act, 1858, had not been passed, would have been payable by the East India Company out of the revenues of India in respect of any treaties, covenants, contracts, grants or liabilities existing at the commencement of that Act; and

(*c*) all expenses, debts and liabilities lawfully contracted and incurred on account of the government of India; and

(*d*) all payments under this Act.

(3) The expression "the revenues of India" in this Act shall include all the territorial and other revenues of or arising in British India, and, in particular,—

(i) all tributes and other payments in respect of any territories which would have been receivable by or in the name of the East India Company if the Government of India Act, 1858, had not been passed; and

(ii) all fines and penalties incurred by the sentence or order of any court of justice in British India, and all forfeitures for crimes of any movable or immovable property in British India; and

(iii) all movable or immovable property in British India escheating or lapsing for want of an heir or successor, and all property in British India devolving as *bona vacantia* for want of a rightful owner.

(4) All property vested in, or arising or accruing from property or rights vested in, His Majesty under the Government of India Act, 1858, or this Act, or to be received or disposed of by the Secretary of State in Council under this Act, shall be applied in aid of the revenues of India.

Control of Secretary of State over expenditure of revenues.

21. The expenditure of the revenues of India, both in British India and elsewhere, shall be subject to the control of the Secretary of State in Council; and no grant or appropriation of any part of those revenues, or of any other property coming into the possession of the Secretary of State in Council by virtue of the Government of India Act, 1858, or this Act, shall be made without the concurrence of a majority of votes at a meeting of the Council of India.

Application of revenues to military operations beyond the frontier.

22. Except for preventing or repelling actual invasion of His Majesty's Indian possessions, or under other sudden and urgent necessity, the revenues of India shall not, without the consent of both Houses of Parliament, be applicable to defraying the expenses of any military operation carried on beyond the external frontiers of those possessions by His Majesty's forces charged upon those revenues.

Accounts of Secretary of State with Bank.

23.—(1) Such parts of the revenues of India as are remitted to the United Kingdom, and all money arising or accruing in the United Kingdom from any property or rights vested in His Majesty for the purposes of the government of India, or from the sale or disposal thereof, shall be paid to the Secretary of State in Council, to be applied for the purposes of this Act.

(2) All such revenues and money shall, except as by this section is provided, be paid into the Bank of England to the credit of an account entitled "The Account of the Secretary of State in Council of India."

(3) The money placed to the credit of that account shall be paid out on drafts or orders, either signed by two members of the Council of India and countersigned by the Secretary of State or one of his under secretaries or his assistant under secretary, or signed by the accountant-general on the establishment of the Secretary of State in Council or by one of the two senior clerks in the department of that accountant-general and countersigned in such manner as the Secretary of State in Council directs; and any draft or order so signed and countersigned shall effectually discharge the Bank of England for all money paid thereon.

(4) The Secretary of State in Council may, for the payment of current demands, keep at the Bank of England such accounts as he deems expedient; and every such account shall be kept in such name and be drawn upon by such person, and in such manner, as the Secretary of State in Council directs.

(5) There shall be raised in the books of the Bank of England such accounts as may be necessary in respect of stock vested in the Secretary of State in Council; and every such account shall be entitled "The Stock Account of the Secretary of State in Council of India."

(6) Every account referred to in this section shall be a public account.

Powers of attorney for sale or purchase of stock and receipt of dividends.

24. The Secretary of State in Council, by power of attorney executed by two members of the Council of India and countersigned by the Secretary of State or one of his under secretaries or his assistant under secretary, may authorise all or any of the cashiers of the Bank of England—

(*a*) to sell and transfer all or any part of any stock standing in the books of the bank to the account of the Secretary of State in Council; and

(*b*) to purchase and accept stock for any such account; and

(*c*) to receive dividends on any stock standing to any such account;

and, by any writing signed by two members of the Council of India and countersigned as aforesaid, may direct the application of the money to be received in respect of any such sale or dividend:

Provided that stock shall not be purchased or sold and transferred under the authority of any such general power of attorney, except on an order in writing directed to the chief cashier and chief accountant of the Bank of England, and signed and countersigned as aforesaid.

Provision as to securities.

25. All securities held by or lodged with the Bank of England in trust for or on account or on behalf of the Secretary of State in Council may be disposed of, and the proceeds thereof may be applied, as may be authorised by order in writing signed by two members of the Council of India and countersigned by the Secretary of State or one of his under secretaries or his assistant under secretary, and directed to the chief cashier and chief accountant of the Bank of England.

Accounts to be annually laid before Parliament.

26.—(1) The Secretary of State in Council shall, within the first fourteen days during which Parliament is sitting next after the first day of May in every year, lay before both Houses of Parliament—

(*a*) an account, for the financial year preceding that last completed, of the annual produce of the revenues of India, distinguishing the same under the respective heads thereof, in each of the several provinces; and of all the annual receipts and disbursements at home and abroad for the purposes of the government of India, distinguishing the same under the respective heads thereof;

(*b*) the latest estimate of the same for the financial year last completed;

(*c*) accounts of all stocks, loans, debts and liabilities chargeable on the revenues of India, at home and abroad, at the commencement and close of the financial year preceding that last completed, the loans, debts and liabilities raised or incurred within that year, the amounts paid off or discharged during that year, the rates of interest borne by those loans, debts and

liabilities respectively, and the annual amount of that interest;

(*d*) an account of the state of the effects and credits in each province, and in England or elsewhere, applicable to the purposes of the government of India, according to the latest advices which have been received thereof; and

(*e*) a list of the establishment of the Secretary of State in Council, and the salaries and allowances payable in respect thereof.

(2) If any new or increased salary or pension of fifty pounds a year or upwards has been granted or created within any year in respect of the said establishment, the particulars thereof shall be specially stated and explained at the foot of the account for that year.

(3) The account shall be accompanied by a statement, prepared from detailed reports from each province, in such form as best exhibits the moral and material progress and condition of India.

Audit of Indian accounts in United Kingdom.

27.—(1) His Majesty may, by warrant under His Royal Sign Manual, countersigned by the Chancellor of the Exchequer, appoint a fit person to be auditor of the accounts of the Secretary of State in Council, and authorise that auditor to appoint and remove such assistants as may be specified in the warrant.

(2) The auditor shall examine and audit the accounts of the receipt, expenditure and disposal in the United Kingdom of all money, stores and property applicable for the purposes of this Act.

(3) The Secretary of State in Council shall, by the officers and servants of his establishment, produce and lay before the auditor all such accounts, accompanied by proper vouchers for their support, and submit to his inspection all books, papers and writings having relation thereto.

(4) The auditor may examine all such officers and servants of that establishment, being in the United Kingdom, as he thinks fit, in relation to such accounts and the receipt, expenditure or disposal of such money, stores and property, and may for that purpose, by writing signed by him, summon before him any such officer or servant.

(5) The auditor shall report to the Secretary of State in Council his approval or disapproval of the accounts aforesaid, with such remarks and observations in relation thereto as he thinks fit, specially noting cases (if any) in which it appears to him that any money arising out of the revenues of India has been appropriated to purposes other than those to which they are applicable.

(6) The auditor shall specify in detail in his reports all sums of money, stores and property which ought to be accounted for, and are not brought into account, or have not been appropriated in conformity with the provisions of the law, or which have been

expended or disposed of without due authority, and shall also specify any defects, inaccuracies or irregularities which may appear in the accounts, or in the authorities, vouchers or documents having relation thereto.

(7) The auditor shall lay all his reports before both Houses of Parliament, with the accounts of the year to which the reports relate.

(8) The auditor shall hold office during good behaviour.

(9) There shall be paid to the auditor and his assistants, out of the revenues of India, such salaries as His Majesty, by warrant signed and countersigned as aforesaid, may direct.

(10) The auditor and his assistants (notwithstanding that some of them do not hold certificates from the Civil Service Commissioners) shall, for the purposes of superannuation allowance, be in the same position as if they were on the establishment of the Secretary of State in Council.

PART III.

PROPERTY, CONTRACTS AND LIABILITIES.

Power of Secretary of State to sell, mortgage and buy property.

28.—(1) The Secretary of State in Council may, with the concurrence of a majority of votes at a meeting of the Council of India, sell and dispose of any real or personal estate for the time being vested in His Majesty for the purposes of the government of India, and raise money on any such real estate by way of mortgage, and make the proper assurances for any of those purposes, and purchase and acquire any property.

(2) Any assurance relating to real estate, made by the authority of the Secretary of State in Council, may be made under the hands and seals of three members of the Council of India.

(3) All property acquired in pursuance of this section shall vest in His Majesty for the purposes of the government of India.

Contracts of Secretary of State.

29.—(1) The Secretary of State in Council may, with the concurrence of a majority of votes at a meeting of the Council of India, make any contract for the purposes of this Act.

(2) Any contract so made may be expressed to be made by the Secretary of State in Council.

(3) Any contract so made which, if it were made between private persons, would be by law required to be under seal, may be made, varied or discharged under the hands and seals of two members of the Council of India.

(4) Any contract so made which, if it were made between private persons, would be by law required to be signed by the party to be charged therewith, may be made, varied or discharged under the hands of two members of the Council of India.

(5) Provided that any contract for or relating to the manufacture, sale, purchase or supply of goods, or for or relating to affreightment or the carriage of goods, or to insurance, may,

subject to such rules and restrictions as the Secretary of State in Council prescribes, be made and signed on behalf of the Secretary of State in Council by any person upon the permanent establishment of the Secretary of State in Council who is duly empowered by the Secretary of State in Council in this behalf. Contracts so made and signed shall be as valid and effectual as if made as prescribed by the foregoing provisions of this section. Particulars of all contracts so made and signed shall be laid before the Secretary of State in Council in such manner and form and within such times as the Secretary of State in Council prescribes.

(6) The benefit and liability of every contract made in pursuance of this section shall pass to the Secretary of State in Council for the time being.

Power to execute assurances, &c., in India.

30.—(1) The Governor-General in Council and any local Government may, on behalf and in the name of the Secretary of State in Council, and subject to such provisions or restrictions as the Secretary of State in Council, with the concurrence of a majority of votes at a meeting of the Council of India, prescribes, sell and dispose of any real or personal estate whatsoever in British India, within the limits of their respective governments, for the time being vested in His Majesty for the purposes of the government of India, or raise money on any such real estate by way of mortgage, and make proper assurances for any of those purposes, and purchase or acquire any property in British India within the said respective limits, and make any contract for the purposes of this Act.

(2) Every assurance and contract made for the purposes of this section shall be executed by such person and in such manner as the Governor-General in Council by resolution directs or authorises, and if so executed may be enforced by or against the Secretary of State in Council for the time being.

(3) All property acquired in pursuance of this section shall vest in His Majesty for the purposes of the government of India.

Power to dispose of escheated property, &c.

31. The Governor-General in Council, and any other person authorised by any Act passed in that behalf by the Governor-General in Legislative Council, may make any grant or disposition of any property in British India accruing to His Majesty by forfeiture, escheat or lapse, or by devolution as *bona vacantia*, to or in favour of any relative or connection of the person from whom the property has accrued, or to or in favour of any other person.

Rights and liabilities of Secretary of State in Council.

32.—(1) The Secretary of State in Council may sue and be sued by the name of the Secretary of State in Council, as a body corporate.

(2) Every person shall have the same remedies against the Secretary of State in Council as he might have had against the East India Company if the Government of India Act, 1858, and this Act had not been passed.

(3) The property for the time being vested in His Majesty for the purposes of the government of India shall be liable to the same judgments and executions as it would have been liable to in respect of liabilities lawfully incurred by the East India Company if the Government of India Act, 1858, and this Act had not been passed.

(4) Neither the Secretary of State nor any member of the Council of India shall be personally liable in respect of any assurance or contract made by or on behalf of the Secretary of State in Council, or any other liability incurred by the Secretary of State or the Secretary of State in Council in his or their official capacity, nor in respect of any contract, covenant or engagement of the East India Company; nor shall any person executing any assurance or contract on behalf of the Secretary of State in Council be personally liable in respect thereof; but all such liabilities, and all costs and damages in respect thereof, shall be borne by the revenues of India.

PART IV.

THE GOVERNOR-GENERAL IN COUNCIL.

General Powers and Duties of Governor-General in Council.

General powers and duties of Governor-General in Council.

33. The superintendence, direction and control of the civil and military government of India is vested in the Governor-General in Council, who is required to pay due obedience to all such orders as he may receive from the Secretary of State.

The Governor-General.

The governor-general.

34. The Governor-General of India is appointed by His Majesty by warrant under the Royal Sign Manual.

The Governor-General's Executive Council.

Constitution of governor-general's executive council.

35. The governor-general's executive council consists of the ordinary members and the extraordinary members (if any) thereof.

Ordinary members of council.

36.—(1) The ordinary members of the governor-general's executive council shall be appointed by His Majesty by warrant under the Royal Sign Manual.

(2) The number of the ordinary members of the council shall be five, or, if His Majesty thinks fit to appoint a sixth member, six.

(3) Three at least of them must be persons who at the time of their appointment have been for at least ten years in the service of the Crown in India, and one must be a barrister of England or Ireland, or a member of the Faculty of Advocates of Scotland, of not less than five years' standing.

(4) If any person appointed an ordinary member of the council is at the time of his appointment in the military service

of the Crown, he shall not, during his continuance in office as such member, hold any military command or be employed in actual military duties.

Extraordinary members of council.

37.—(1) The Secretary of State in Council may, if he thinks fit, appoint the commander-in-chief for the time being of His Majesty's forces in India to be an extraordinary member of the governor-general's executive council, and in that case the commander-in-chief shall, subject to the provisions of this Act, have rank and precedence in the council next after the governor-general.

(2) When and so long as the council assembles in any province having a governor, he shall be an extraordinary member of the council.

Vice-president of council.

38. The governor-general shall appoint a member of his executive council to be vice-president thereof.

Meetings.

39.—(1) The governor-general's executive council shall assemble at such places in India as the Governor-General in Council appoints.

(2) At any meeting of the council the governor-general or other person presiding and one ordinary member of the council may exercise all the functions of the Governor-General in Council.

Business of Governor-General in Council.

40.—(1) All orders and other proceedings of the Governor-General in Council shall be expressed to be made by the Governor-General in Council, and shall be signed by a secretary to the Government of India, or otherwise, as the Governor-General in Council may direct.

(2) The governor-general may make rules and orders for the more convenient transaction of business in his executive council, and every order made, or act done, in accordance with such rules and orders, shall be treated as being the order or the act of the Governor-General in Council.

Procedure in case of difference of opinion.

41.—(1) If any difference of opinion arises on any question brought before a meeting of the governor-general's executive council, the Governor-General in Council shall be bound by the opinion and decision of the majority of those present, and, if they are equally divided, the governor-general or other person presiding shall have a second or casting vote.

(2) Provided that whenever any measure is proposed before the Governor-General in Council whereby the safety, tranquillity or interests of British India, or of any part thereof, are or may be, in the judgment of the governor-general, essentially affected, and he is of opinion either that the measure proposed ought to be adopted and carried into execution, or that it ought to be suspended or rejected, and the majority present at a meeting of the council dissent from that opinion, the governor-general may, on his own authority and responsibility, adopt, suspend or reject the measure, in whole or in part.

(3) In every such case any two members of the dissentient majority may require that the adoption, suspension or rejection of the measure, and the fact of their dissent, be reported to the Secretary of State, and the report shall be accompanied by copies of any minutes which the members of the council have recorded on the subject.

(4) Nothing in this section shall empower the governor-general to do anything which he could not lawfully have done with the concurrence of his council.

Provision for absence of governor-general from meetings of council.

42. If the governor-general is obliged to absent himself from any meeting of the council, by indisposition or any other cause, and signifies his intended absence to the council, the vice-president, or, if he is absent, the senior ordinary member present at the meeting, shall preside thereat, with the like powers as the governor-general would have had if present:

Provided that if the governor-general is at the time resident at the place where the meeting is assembled, and is not prevented by indisposition from signing any act of council made at the meeting, the act shall require his signature; but, if he declines or refuses to sign it, the like provisions shall have effect as in cases where the governor-general, when present, dissents from the majority at a meeting of the council.

Powers of governor-general in absence from council.

43.—(1) Whenever the Governor-General in Council declares that it is expedient that the governor-general should visit any part of India unaccompanied by his executive council, the Governor-General in Council may, by order, authorise the governor-general alone to exercise, in his discretion, all or any of the powers which might be exercised by the Governor-General in Council at meetings of the council.

(2) The governor-general during absence from his executive council may, if he thinks it necessary, issue, on his own authority and responsibility, any order, which might have been issued by the Governor-General in Council, to any local Government, or to any officers or servants of the Crown acting under the authority of any local Government without previously communicating the order to the local Government; and any such order shall have the same force as if made by the Governor-General in Council; but a copy of the order shall be sent forthwith to the Secretary of State and to the local Government, with the reasons for making the order.

(3) The Secretary of State in Council may, by order, suspend until further order all or any of the powers of the governor-general under the last foregoing sub-section; and those powers shall accordingly be suspended as from the time of the receipt by the governor-general of the order of the Secretary of State in Council.

War and Treaties.

Restriction on power of Governor-

44.—(1) The Governor-General in Council may not, without the express order of the Secretary of State in Council, in any

case (except where hostilities have been actually commenced, or preparations for the commencement of hostilities have been actually made against the British Government in India or against any prince or state dependent thereon, or against any prince or state whose territories His Majesty is bound by any subsisting treaty to defend or guarantee), either declare war or commence hostilities or enter into any treaty for making war against any prince or state in India, or enter into any treaty for guaranteeing the possessions of any such prince or state. General in Council to make war or treaty.

(2) In any such excepted case the Governor-General in Council may not declare war, or commence hostilities, or enter into any treaty for making war, against any other prince or state than such as is actually committing hostilities or making preparations as aforesaid, and may not make any treaty for guaranteeing the possessions of any prince or state except on the consideration of that prince or state actually engaging to assist His Majesty against such hostilities commenced or preparations made as aforesaid.

(3) When the Governor-General in Council commences any hostilities or makes any treaty, he shall forthwith communicate the same, with the reasons therefor, to the Secretary of State.

Part V.

Local Governments.

General.

45.—(1) Every local Government shall obey the orders of the Governor-General in Council, and keep him constantly and diligently informed of its proceedings and of all matters which ought, in its opinion, to be reported to him, or as to which he requires information, and is under his superintendence, direction and control in all matters relating to the government of its province. Relation of local Governments to Governor-General in Council.

(2) No local Government may make or issue any order for commencing hostilities or levying war, or negotiate or conclude any treaty of peace or other treaty with any Indian prince or state (except in cases of sudden emergency or imminent danger when it appears dangerous to postpone such hostilities or treaty), unless in pursuance of express orders from the Governor-General in Council or from the Secretary of State; and every such treaty shall, if possible, contain a clause subjecting the same to the ratification or rejection of the Governor-General in Council. If any governor, lieutenant-governor or chief commissioner, or any member of a governor's or lieutenant-governor's executive council, wilfully disobeys any order received from the Governor-General in Council under this subsection, he may be suspended or removed and sent to England by the Governor-General in Council, and shall be subject to such further pains and penalties as are provided by law in that behalf.

(3) The authority of a local Government is not superseded by the presence in its province of the governor-general.

Governorships.

Governments of Bengal, Madras and Bombay.

46.—(1) The presidencies of Fort William in Bengal, Fort St. George and Bombay are, subject to the provisions of this Act, governed by the Governors in Council of those presidencies respectively, and the two former presidencies are in this Act referred to as the presidencies of Bengal and of Madras.

(2) The Governors of Bengal, Madras and Bombay are appointed by His Majesty by warrant under the Royal Sign Manual.

(3) The Secretary of State may, if he thinks fit, by order, revoke or suspend, for such period as he may direct, the appointment of a council for any or all of those presidencies; and whilst any such order is in force the Governor of the presidency to which the order refers shall have all the powers of the Governor thereof in Council.

Members of executive councils.

47.—(1) The members of a governor's executive council shall be appointed by His Majesty by warrant under the Royal Sign Manual, and shall be of such number, not exceeding four, as the Secretary of State in Council directs.

(2) Two at least of them must be persons who at the time of their appointment have been for at least twelve years in the service of the Crown in India.

(3) Provided that, if the commander-in-chief of His Majesty's forces in India (not being likewise governor-general) happens to be resident at Calcutta, Madras or Bombay, he shall, during his continuance there, be a member of the governor's council.

Vice-president of council.

48. Every governor of a presidency shall appoint a member of his executive council to be vice-president thereof.

Business of Governor in Council.

49.—(1) All orders and other proceedings of the Governor in Council of any presidency shall be expressed to be made by the Governor in Council, and shall be signed by a secretary to the Government of the presidency, or otherwise, as the Governor in Council may direct.

(2) A governor may make rules and orders for the more convenient transaction of business in his executive council, and every order made or act done in accordance with those rules and orders shall be treated as being the order or the act of the Governor in Council.

Procedure in case of difference of opinion.

50.—(1) If any difference of opinion arises on any question brought before a meeting of a governor's executive council, the Governor in Council shall be bound by the opinion and decision of the majority of those present, and if they are equally divided the governor or other person presiding shall have a second or casting vote.

(2) Provided that, whenever any measure is proposed before a Governor in Council whereby the safety, tranquillity or interests of his presidency, or of any part thereof, are or may be, in the judgment of the governor, essentially affected, and he is of opinion either that the measure proposed ought to be adopted and carried into execution, or that it ought to be suspended or rejected, and the majority present at a meeting of the Council dissent from that opinion, the governor may, on his own authority and responsibility, by order in writing, adopt, suspend or reject the measure, in whole or in part.

(3) In every such case the governor and the members of the council present at the meeting shall mutually exchange written communications (to be recorded at large in their secret proceedings) stating the grounds of their respective opinions, and the order of the governor shall be signed by the governor and by those members.

(4) Nothing in this section shall empower a governor to do anything which he could not lawfully have done with the concurrence of his council.

Provision for absence of governor from meetings of council.

51. If a governor is obliged to absent himself from any meeting of his executive council, by indisposition or any other cause, and signifies his intended absence to the council, the vice-president, or, if he is absent, the senior civil member present at the meeting, shall preside thereat, with the like powers as the governor would have had if present:

Provided that if the governor is at the time resident at the place where the meeting is assembled, and is not prevented by indisposition from signing any act of council made at the meeting, the act shall require his signature; but, if he declines or refuses to sign it, the like provisions shall have effect as in cases where the governor, when present, dissents from the majority at a meeting of the council.

The province of Agra.

52. The Secretary of State in council may, if he thinks fit, direct that the province of Agra be constituted a presidency under a Governor in Council, and, if that direction is given, the presidency shall be constituted on the terms and under the conditions mentioned in section nineteen of the Government of India Act, 1853, and section four of the Government of India Act, 1854.

16 & 17 Vict., c. 95.
17 & 18 Vict., c. 77.

Lieutenant-Governorships and other Provinces.

Lieutenant-governorships.

53.—(1) Each of the following provinces, namely, those known as Bihar and Orissa, the United Provinces of Agra and Oudh, the Punjab, and Burma, is, subject to the provisions of this Act, governed by a lieutenant-governor, with or without an executive council.

(2) The Governor-General in Council may, by notification, with the sanction of His Majesty previously signified by the

Secretary of State in Council, constitute a new province under a lieutenant-governor.

Lieutenant-governors.

54.—(1) A lieutenant-governor is appointed by the governor-general with the approval of His Majesty.

(2) A lieutenant-governor must have been, at the time of his appointment, at least ten years in the service of the Crown in India.

(3) The Governor-General in Council may, with the sanction of His Majesty previously signified by the Secretary of State in Council, declare and limit the extent of the authority of any lieutenant-governor.

Power to create executive councils for lieutenant-governors.

55.—(1) The Governor-General in Council, with the approval of the Secretary of State in Council, may, by notification, create a council in any province under a lieutenant-governor, for the purpose of assisting the lieutenant-governor in the executive government of the province, and by such notification—

(*a*) make provision for determining what shall be the number (not exceeding four) and qualifications of the members of the council; and

(*b*) make provision for the appointment of temporary or acting members of the council during the absence of any member from illness or otherwise, and for the procedure to be adopted in case of a difference of opinion between a lieutenant-governor and his council, and in the case of equality of votes, and in the case of a lieutenant-governor being obliged to absent himself from his council by indisposition or any other cause:

Provided that, before any such notification is published a draft thereof shall be laid before each House of Parliament for not less than sixty days during the session of Parliament, and if, before the expiration of that time, an address is presented to His Majesty by either House of Parliament against the draft or any part thereof, no further proceedings shall be taken thereon, without prejudice to the making of any new draft.

(2) Every notification under this section shall be laid before both Houses of Parliament as soon as may be after it is made.

(3) Every member of a lieutenant-governor's executive council shall be appointed by the governor-general, with the approval of His Majesty.

Vice-president of council.

56. A lieutenant-governor who has an executive council shall appoint a member of the council to be vice-president thereof, and that vice-president shall preside at meetings of the council in the absence of the lieutenant-governor.

Business of Lieutenant-Governor in Council.

57. A lieutenant-governor who has an executive council may, with the consent of the Governor-General in Council, make rules and orders for more convenient transaction of business in the council, and every order made, or act done, in accordance

with such rules and orders, shall be treated as being the order or the act of the Lieutenant-Governor in Council.

Chief Commissioners.

58. Each of the following provinces, namely, those known as Assam, the Central Provinces, the North-West Frontier Province, British Baluchistan, Delhi, Ajmer-Merwara, Coorg, and the Andaman and Nicobar Islands, is, subject to the provisions of this Act, administered by a chief commissioner.

Power to place territory under authority of Governor-General in Council.

59. The Governor-General in Council may, with the approval of the Secretary of State, and by notification, take any part of British India under the immediate authority and management of the Governor-General in Council, and thereupon give all necessary orders and directions respecting the administration of that part, by placing it under a chief commissioner or by otherwise providing for its administration.

Boundaries.

Power to declare and alter boundaries of provinces.

60. The Governor-General in Council may, by notification, declare, appoint or alter the boundaries of any of the provinces into which British India is for the time being divided, and distribute the territories of British India among the several provinces thereof in such manner as may seem expedient, subject to these qualifications, namely :—

(1) an entire district may not be transferred from one province to another without the previous sanction of the Crown, signified by the Secretary of State in Council; and

(2) any notification under this section may be disallowed by the Secretary of State in Council.

Saving as to laws.

61. An alteration in pursuance of the foregoing provisions of the mode of administration of any part of British India, or of the boundaries of any part of British India, shall not affect the law for the time being in force in that part.

Power to extend boundaries of presidency-towns.

62. The Governor of Bengal in Council, the Governor of Madras in Council, and the Governor of Bombay in Council may, with the approval of the Secretary of State in Council, and by notification, extend the limits of the towns of Calcutta, Madras and Bombay, respectively; and any Act of Parliament, letters patent, charter, law or usage conferring jurisdiction, power or authority within the limits of those towns respectively shall have effect within the limits as so extended.

Part VI.

Indian Legislation.

The Governor-General in Legislative Council.

Constitution of the Indian Legislative Council.

63.—(1) For purposes of legislation the governor-general's council shall consist of the members of his executive council with

the addition of members nominated or elected in accordance with rules made under this Act. The council so constituted is in this Act referred to as the Indian Legislative Council.

(2) The number of additional members so nominated or elected, the number of such members required to constitute a quorum, the term of office of such members, and the manner of filling casual vacancies occurring by reason of absence from India, inability to attend to duty, death, acceptance of office, or resignation duly accepted, or otherwise, shall be such as may be prescribed by rules made under this Act:

Provided that the aggregate number of members so nominated or elected shall not exceed the number specified in that behalf in the second column of the First Schedule to this Act.

(3) At least one-half of the additional members of the council must be persons not in the civil or military service of the Crown in India; and, if any additional member accepts office under the Crown in India, his seat as an additional member shall thereupon become vacant.

(4) When and so long as the Indian Legislative Council assembles in a province having a lieutenant-governor or chief commissioner, he shall be an additional member of the council, in excess, if necessary, of the aggregate number of nominated or elected additional members prescribed by this section.

(5) The additional members of the council are not entitled to be present at meetings of the governor-general's executive council.

(6) The Governor-General in Council may, with the approval of the Secretary of State in Council, make rules as to the conditions under which and manner in which persons resident in India may be nominated or elected as additional members of the Indian Legislative Council, and as to the qualifications for being, and for being nominated or elected, an additional member of that Council, and as to any other matter for which rules are authorised to be made under this section, and also as to the manner in which those rules are to be carried into effect.

(7) All rules made under this section shall be laid before both Houses of Parliament as soon as may be after they are made, and those rules shall not be subject to repeal or alteration by the Governor-General in Legislative Council.

Meetings.

64.—(1) The Indian Legislative Council shall assemble at such times and places as the Governor-General in Council appoints.

(2) Any meeting of the council may be adjourned, under the authority of the Governor-General in Council, by the governor-general or other person presiding.

(3) In the absence of the governor-general from any meeting of the council the person to preside thereat shall be the vice-president of the council, or, in his absence, the senior ordinary member of the council present at the meeting, or, during the discussion of the annual financial statement or of any

matter of general public interest, the vice-president or the member appointed to preside in accordance with rules made under this Act.

(4) If any difference of opinion arises on any question brought before a meeting of the council, the person presiding shall have a second or casting vote.

Legislative powers.

65.—(1) The Governor-General in Legislative Council has power to make laws—

(*a*) for all persons, for all courts, and for all places and things, within British India; and

(*b*) for all subjects of His Majesty and servants of the Crown within other parts of India; and

(*c*) for all native Indian subjects of His Majesty, without and beyond as well as within British India; and

(*d*) for the government of officers, soldiers and followers in His Majesty's Indian forces, wherever they are serving, in so far as they are not subject to the Army Act; and

(*e*) for all persons employed or serving in or belonging to the Royal Indian Marine Service; and

(*f*) for repealing or altering any laws which for the time being are in force in any part of British India or apply to persons for whom the Governor-General in Legislative Council has power to make laws.

(2) Provided that the Governor-General in Legislative Council has not, unless expressly so authorised by Act of Parliament, power to make any law repealing or affecting—

(i) any Act of Parliament passed after the year one thousand eight hundred and sixty and extending to British India (including the Army Act and any Act amending the same); or

(ii) any Act of Parliament enabling the Secretary of State in Council to raise money in the United Kingdom for the government of India;

and has not power to make any law affecting the authority of Parliament, or any part of the unwritten laws or constitution of the United Kingdom of Great Britain and Ireland whereon may depend in any degree the allegiance of any person to the Crown of the United Kingdom, or affecting the sovereignty or dominion of the Crown over any part of British India.

(3) The Governor-General in Legislative Council has not power, without the previous approval of the Secretary of State in Council, to make any law empowering any court, other than a high court, to sentence to the punishment of death any of His Majesty's subjects born in Europe, or the children of such subjects, or abolishing any high court.

Laws for the Royal Indian Marine Service.

66.—(1) A law made under this Act for the Royal Indian Marine Service shall not apply to any offence unless the vessel to which the offender belongs is at the time of the commission

of the offence within the limits of Indian waters, that is to say, the high seas between the Cape of Good Hope on the West and the Straits of Magellan on the East, and any territorial waters between those limits.

(2) The punishments imposed by any such law for offences shall be similar in character to, and not in excess of, the punishments which may, at the time of making the law, be imposed for similar offences under the Acts relating to His Majesty's Navy, except that, in the case of persons other than Europeans or Americans, imprisonment for any term not exceeding fourteen years, or transportation for life or any less term, may be substituted for penal servitude.

Business at meetings.

67.—(1) At a meeting of the Indian Legislative Council no motion shall be entertained other than a motion for leave to introduce a measure into the council for the purpose of enactment, or having reference to a measure introduced or proposed to be introduced into the council for that purpose, or having reference to some rule for the conduct of business in the council, and no business shall be transacted other than the consideration of those motions or the alteration of those rules.

(2) It shall not be lawful, without the previous sanction of the governor-general, to introduce at any meeting of the council any measure affecting—

(*a*) the public debt or public revenues of India, or imposing any charge on the revenues of India; or

(*b*) the religion or religious rites and usages of any class of British subjects in India; or

(*c*) the discipline or maintenance of any part of His Majesty's military or naval forces; or

(*d*) the relations of the Government with foreign princes or states.

(3) Notwithstanding anything in the foregoing provisions of this section, the Governor-General in Council may, with the sanction of the Secretary of State in Council, make rules authorising at any meeting of the Indian Legislative Council the discussion of the annual financial Statement of the Governor-General in Council and of any matter of general public interest and the asking of questions, under such conditions and restrictions as may be prescribed in the rules. Rules made under this subsection may provide for the appointment of a member of the council to preside at any such discussion in the place of the governor-general and of the vice-president, and shall be laid before both Houses of Parliament as soon as may be after they are made, and shall not be subject to repeal or alteration by the Governor-General in Legislative Council.

Assent of governor-general to Acts.

68.—(1) When an Act has been passed at a meeting of the Indian Legislative Council, the governor-general, whether he was or was not present in council at the passing thereof, may declare that he assents to the Act, or that he withholds

assent from the Act, or that he reserves the Act for the signification of His Majesty's pleasure thereon.

(2) An Act of the Governor-General in Legislative Council has not validity until the governor-general has declared his assent thereto, or, in the case of an Act reserved for the signification of His Majesty's pleasure, until His Majesty has signified his assent to the governor-general through the Secretary of State in Council, and that assent has been notified by the governor-general.

Power of Crown to disallow Acts.

69.—(1) When an Act of the Governor-General in Legislative Council has been assented to by the governor-general, he shall send to the Secretary of State an authentic copy thereof, and it shall be lawful for His Majesty to signify, through the Secretary of State in Council, his disallowance of any such Act.

(2) Where the disallowance of any such Act has been so signified, the governor-general shall forthwith notify the disallowance, and thereupon the Act, as from the date of the notification, shall become void accordingly.

Rules for conduct of legislative business.

70. The Governor-General in Legislative Council may, subject to the assent of the governor-general, alter the rules for the conduct of legislative business in the Indian Legislative Council (including rules prescribing the mode of promulgation and authentication of Acts passed by that council); but any alteration so made may be disallowed by the Secretary of State in Council, and if so disallowed shall have no effect.

Regulations and Ordinances.

Power to make regulations.

71.—(1) The local Government of any part of British India to which this section for the time being applies may propose to the Governor-General in Council the draft of any regulation for the peace and good government of that part, with the reasons for proposing the regulation.

(2) Thereupon the Governor-General in Council may take any such draft and reasons into consideration; and, when any such draft has been approved by the Governor-General in Council and assented to by the governor-general, it shall be published in the Gazette of India and in the local official gazette, if any, and shall thereupon have the like force of law and be subject to the like disallowance as if it were an Act of the Governor-General in Legislative Council.

(3) The governor-general shall send to the Secretary of State in Council an authentic copy of every regulation to which he has assented under this section.

(4) The Secretary of State may, by resolution in council, apply this section to any part of British India, as from a date to be fixed in the resolution, and withdraw the application of this section from any part to which it has been applied.

Power to make ordinances in cases of emergency.

72. The governor-general may, in cases of emergency, make and promulgate ordinances for the peace and good government of British India or any part thereof, and any ordinance so made shall, for the space of not more than six months from its promulgation, have the like force of law as an Act passed by the Governor-General in Legislative Council; but the power of making ordinances under this section is subject to the like restrictions as the power of the Governor-General in Legislative Council to make laws; and any ordinance made under this section is subject to the like disallowance as an Act passed by the Governor-General in Legislative Council, and may be controlled or superseded by any such Act.

Local Legislatures.

Local legislatures.

73.—(1) For purposes of legislation, the council of a governor, or of a lieutenant-governor having an executive council, shall consist of the members of his executive council with the addition of members nominated or elected in accordance with rules made under this Act.

(2) In the case of the councils of the governors of Madras and Bombay (and, if so ordered by the governor of Bengal, in the case of his council), the advocate-general or acting advocate-general for the time being of the presidency shall be one of the members so nominated.

(3) The legislative council of a lieutenant-governor not having an executive council, or of a chief commissioner, shall consist of members nominated or elected in accordance with rules made under this Act.

(4) Councils constituted as provided by this section are in this Act referred to as local legislative councils, and Governors, Lieutenant-Governors and Chief Commissioners in Legislative Council are in this Act referred to as local legislatures.

Constitution of legislative councils in Bengal, Madras and Bombay.

74.—(1) The number of additional members nominated or elected to the legislative council of the Governor of Bengal, Madras or Bombay, the number of such members required to constitute a quorum, the term of office of such members, and the manner of filling casual vacancies occurring by reason of absence from India, inability to attend to duty, death, acceptance of office, or resignation duly accepted, or otherwise, shall, in the case of each such council, be such as may be prescribed by rules made under this Act:

Provided that the aggregate number of members so nominated or elected shall not exceed the number specified in that behalf in the second column of the First Schedule to this Act.

(2) At least one-half of the additional members nominated or elected to any of those councils must be persons not in the civil or military service of the Crown in India; and if any such person accepts office under the Crown in India his seat as a member shall thereupon become vacant.

(3) An additional member of any of those councils is not entitled to be present at meetings of the governor's executive council.

(4) The Governor-General in Council may, with the approval of the Secretary of State in Council, make rules as to the conditions under which and manner in which persons resident in India may be nominated or elected additional members of any of those legislative councils, and as to the qualifications for being, and for being nominated or elected, an additional member of any of those councils, and as to any other matter for which rules are authorised to be made under this section, and also as to the manner in which those rules are to be carried into effect.

(5) All rules made under this section shall be laid before both Houses of Parliament as soon as may be after they are made, and those rules shall not be subject to repeal or alteration by the Governor-General in Legislative Council.

Meetings of legislative councils of Bengal, Madras and Bombay.

75.—(1) The legislative council of the Governor of Bengal, Madras or Bombay shall assemble at such times and places as the governor appoints.

(2) Any meeting of the council may be adjourned by the governor, or, under his authority, by the other person presiding.

(3) In the absence of the governor from any meeting of the council the person to preside thereat shall be the vice-president of the council, or, in his absence, the senior civil member of the executive council present at the meeting, or, during the discussion of the annual financial statement or of any matter of general public interest, the vice-president or the member appointed to preside in accordance with rules made under this Act.

(4) If any difference of opinion arises on any question brought before a meeting of the council, the person presiding shall have a second or casting vote.

Constitution of legislative councils of lieutenant-governors and chief commissioners.

76.—(1) The number of members nominated or elected to the legislative council of a lieutenant-governor or chief commissioner, the number of such members required to constitute a quorum, the term of office of such members, and the manner of filling casual vacancies occurring by reason of absence from India, inability to attend to duty, death, acceptance of office, or resignation duly accepted, or otherwise, shall, in the case of each such council, be such as may be prescribed by rules made under this Act:

Provided that the aggregate number of members so nominated or elected shall not, in the case of any legislative council mentioned in the first column of the First Schedule to this Act, exceed the number specified in that behalf in the second column of that Schedule.

(2) At least one-third of the persons so nominated or elected to the legislative council of a lieutenant-governor or

chief commissioner must be persons not in the civil or military service of the Crown in India.

(3) The Governor-General in Council may, with the approval of the Secretary of State in Council, make rules as to the conditions under which and manner in which persons resident in India may be nominated or elected members of any of those legislative councils, and as to the qualifications for being, and for being nominated or elected, a member of any of those councils, and as to any other matter for which rules are authorised to be made under this section, and as to the manner in which those rules are to be carried into effect.

(4) All rules made under this section shall be laid before both Houses of Parliament as soon as may be after they are made, and those rules shall not be subject to repeal or alteration by the Governor-General in Legislative Council.

Power to constitute new local legislatures.

77.—(1) When a new lieutenant-governorship is constituted under this Act, the Governor-General in Council may, by notification, with the sanction of His Majesty previously signified by the Secretary of State in Council, constitute the Lieutenant-Governor in Legislative Council of the province, as from a date specified in the notification, a local legislature for that province, and define the limits of the province for which the Lieutenant-Governor in Legislative Council is to exercise legislative powers.

(2) The Governor-General in Council may, by notification, extend the provisions of this Act relating to legislative councils of lieutenant-governors, subject to such modifications and adaptations as he may consider necessary, to any province for the time being under a chief commissioner.

Meetings of legislative councils of lieutenant-governors or chief commissioners.

78.—(1) Every lieutenant-governor who has no executive council, and every chief commissioner who has a legislative council, shall appoint a member of his legislative council to be vice-president thereof.

(2) In the absence of the lieutenant-governor or chief commissioner from any meeting of his legislative council the person to preside thereat shall be the vice-president of the council, or, in his absence, the member of the council who is highest in official rank among those holding office under the Crown who are present at the meeting, or, during the discussion of the annual financial statement or of any matter of general public interest, the vice-president or the member appointed to preside in accordance with rules made under this Act.

(3) If any difference of opinion arises on any question brought before a meeting of the council, the person presiding shall have a second or casting vote.

Powers of local legislatures.

79.—(1) The local legislature of any province has power, subject to the provisions of this Act, to make laws for the peace and good government of the territories for the time being constituting that province.

(2) The local legislature of any province may, with the previous sanction of the governor-general, but not otherwise, repeal or alter as to that province any law made either before or after the commencement of this Act by any authority in British India other than that local legislature.

(3) The local legislature of any province may not, without the previous sanction of the governor-general, make or take into consideration any law—

(*a*) affecting the public debt of India, or the customs duties, or any other tax or duty for the time being in force and imposed by the authority of the Governor-General in Council for the general purposes of the government of India; or

(*b*) regulating any of the current coin, or the issue of any bills, notes or other paper currency; or

(*c*) regulating the conveyance of letters by the post office or messages by the electric telegraph; or

(*d*) altering in any way the Indian Penal Code; or

(*e*) affecting the religion or religious rites and usages of any class of British subjects in India; or

(*f*) affecting the discipline or maintenance of any part of His Majesty's naval or military forces; or

(*g*) regulating patents or copyright; or

(*h*) affecting the relations of the Government with foreign princes or states.

(4) The local legislature of any province has not power to make any law affecting any Act of Parliament.

(5) Provided that an Act or a provision of an Act made by a local legislature, and subsequently assented to by the governor-general in pursuance of this Act, shall not be deemed invalid by reason only of its requiring the previous sanction of the governor-general under this Act.

Business at meetings.

80.—(1) At a meeting of a local legislative council no motion shall be entertained other than a motion for leave to introduce a measure into the council for the purpose of enactment, or having reference to a measure introduced or proposed to be introduced into the council for that purpose, or having reference to some rule for the conduct of business in the council, and no business shall be transacted other than the consideration of those motions or the alteration of those rules.

(2) It shall not be lawful for any member of any local legislative council to introduce, without the previous sanction of the governor, lieutenant-governor or chief commissioner, any measure affecting the public revenues of the province or imposing any charge on those revenues.

(3) Notwithstanding anything in the foregoing provisions of this section, the local Government may, with the sanction of the Governor-General in Council, make rules authorising, at any meeting of the local legislative council, the discussion of the annual financial statement of the local Government, and of

any matter of general public interest, and the asking of questions, under such conditions and restrictions as may be prescribed in the rules. Rules made under this sub-section for any council may provide for the appointment of a member of the council to preside at any such discussion in the place of the governor, lieutenant-governor or chief commissioner, as the case may be, and of the vice-president, and shall be laid before both Houses of Parliament as soon as may be after they are made, and shall not be subject to repeal or alteration by the Governor-General in Legislative Council or the local legislature.

Assent to Acts of local legislatures.

81.—(1) When an Act has been passed at a meeting of a local legislative council, the governor, lieutenant-governor or chief commissioner, whether he was or was not present in council at the passing of the Act, may declare that he assents to or withholds his assent from the Act.

(2) If the governor, lieutenant-governor or chief commissioner withholds his assent from any such Act, the Act has no effect.

(3) If the governor, lieutenant-governor or chief commissioner assents to any such Act, he shall forthwith send an authentic copy of the Act to the governor-general, and the Act shall not have validity until the governor-general has assented thereto and that assent has been signified by the governor-general to, and published by, the governor, lieutenant-governor or chief commissioner.

(4) Where the governor-general withholds his assent from any such Act, he shall signify to the governor, lieutenant-governor or chief commissioner in writing his reason for so withholding his assent.

Power of Crown to disallow Acts of local legislatures.

82.—(1) When any such Act has been assented to by the governor-general, he shall send to the Secretary of State an authentic copy thereof, and it shall be lawful for His Majesty to signify, through the Secretary of State in Council, his disallowance of any such Act.

(2) Where the disallowance of any such Act has been so signified, the governor, lieutenant-governor or chief commissioner shall forthwith notify the disallowance, and thereupon the Act, as from the date of the notification, shall become void accordingly.

Rules for conduct of legislative business.

83.—(1) The local Government of any province for which a local legislative council is hereafter constituted under this Act shall, before the first meeting of that council, and with the sanction of the Governor-General in Council, make rules for the conduct of legislative business in that council (including rules for prescribing the mode of promulgation and authentication of laws passed by that council).

(2) A local legislature may, subject to the assent of the governor, lieutenant-governor or chief commissioner, alter the rules for the conduct of legislative business in the local legisla-

tive council (including rules prescribing the mode of promulgation and authentication of laws passed by the council); but any alteration so made may be disallowed by the Governor-General in Council, and if so disallowed shall have no effect.

Validity of Indian Laws.

Removal of doubts as to validity of certain Indian laws.

84. A law made by any authority in British India shall not be deemed invalid solely on account of any one or more of the following reasons:—

(*a*) in the case of a law made by the Governor-General in Legislative Council, because it affects the prerogative of the Crown; or

(*b*) in the case of any law, because the requisite proportion of members not holding office under the Crown in India was not complete at the date of its introduction into the council or its enactment; or

(*c*) in the case of a law made by a local legislature, because it confers on magistrates, being justices of the peace, the same jurisdiction over European British subjects as that legislature, by Acts duly made, could lawfully confer on magistrates in the exercise of authority over other British subjects in the like cases.

Part VII.

Salaries, Leave of Absence, Vacation of Office, Appointments, &c.

Salaries and allowances of governor-general and certain other officials in India.

85.—(1) There shall be paid to the Governor-General of India, and to the other persons mentioned in the Second Schedule to this Act, out of the revenues of India, such salaries, not exceeding in any case the maximum specified in that behalf in that Schedule, and such allowances (if any) for equipment and voyage, as the Secretary of State in Council may by order fix in that behalf, and, subject to or in default of any such order, as are payable at the commencement of this Act:

(2) Provided as follows:—

(*a*) an order affecting salaries of members of the governor-general's executive council may not be made without the concurrence of a majority of votes at a meeting of the Council of India;

(*b*) if any person to whom this section applies holds or enjoys any pension or salary, or any office of profit under the Crown or under any public office, his salary under this section shall be reduced by the amount of the pension, salary or profits of office so held or enjoyed by him;

(*c*) nothing in the provisions of this section with respect to allowances shall authorise the imposition of any additional charge on the revenues of India.

(3) The remuneration payable to a person under this section shall commence on his taking upon himself the execution of his office, and shall be the whole profit or advantage which he shall enjoy from his office during his continuance therein.

Leave of absence to members of executive councils.

86.—(1) The Governor-General in Council may grant to any of the ordinary members of his executive council, and a Governor in Council may grant to any member of his executive council, leave of absence under medical certificate for a period not exceeding six months.

(2) Where a member of council obtains leave of absence in pursuance of this section, he shall retain his office during his absence, and shall on his return and resumption of his duties be entitled to receive half his salary for the period of his absence: but if his absence exceeds six months his office shall become vacant.

Provisions as to absence from India or presidency.

87.—(1) If the governor-general, or a governor, or the commander-in-chief of His Majesty's forces in India, and, subject to the foregoing provisions of this Act as to leave of absence, if any ordinary member of the executive council of the governor-general, or any member of the executive council of a governor departs from India, intending to return to Europe, his office shall thereupon become vacant.

(2) No act or declaration of the governor-general or a governor or a member of an executive council, other than as aforesaid, except a declaration in writing under hand and seal, delivered to a secretary to the Government of India or to the chief secretary of the presidency wherein he is, in order to its being recorded, shall be deemed or held as a resignation or surrender of his office.

(3) If the governor-general, or any ordinary member of the governor-general's executive council, leaves India otherwise than in the known actual service of the Crown, and if any governor, lieutenant-governor or member of a governor's executive council leaves the province to which he belongs, otherwise than as aforesaid, his salary and allowances shall not be payable during his absence to any person for his use.

(4) If any such officer, not having proceeded or intended to proceed to Europe, dies during his absence and whilst intending to return to India or to his province, his salary and allowances shall, subject to any rules in that behalf made by the Secretary of State in Council, be paid to his personal representatives.

(5) If any such officer does not return to India or his province, or returns to Europe, his salary and allowances shall be deemed to have ceased on the day of his leaving India or his province.

Conditional appointments.

88.—(1) His Majesty may, by warrant under His Royal Sign Manual, appoint any person conditionally to succeed to any of the offices of governor-general, governor, ordinary member of the executive council of the governor-general, or member of

the executive council of a governor, in the event of the office becoming vacant, or in any other event or contingency expressed in the appointment, and revoke any such conditional appointment.

(2) A person so conditionally appointed shall not be entitled to any authority, salary or emolument appertaining to the office to which he is appointed, until he is in the actual possession of the office.

Power for governor-general to exercise powers before taking seat.

89.—(1) If any person entitled under a conditional appointment to succeed to the office of governor-general, or appointed absolutely to that office, is in India on or after the event on which he is to succeed, and thinks it necessary to exercise the powers of governor-general before he takes his seat in council, he may make known by notification his appointment and his intention to assume the office of governor-general.

(2) After the notification, and thenceforth until he repairs to the place where the council may assemble, he may exercise alone all or any of the powers which might be exercised by the Governor-General in Council.

(3) All acts done in the council after the date of the notification, but before the communication thereof to the council, shall be valid, subject, nevertheless, to revocation or alteration by the person who has so assumed the office of governor-general.

(4) When the office of governor-general is assumed under the foregoing provision, the vice-president, or, if he is absent, the senior ordinary member of the council then present, shall preside therein, with the same powers as the governor-general would have had if present.

Temporary vacancy in office of governor-general.

90.—(1) If a vacancy occurs in the office of governor-general when there is no conditional or other successor in India to supply the vacancy, the governor who was first appointed to the office of governor by His Majesty shall hold and execute the office of governor-general until a successor arrives or until some person in India is duly appointed thereto.

(2) Every such acting governor-general, while acting as such, shall have and may exercise all the rights and powers of the office of governor-general, and shall be entitled to receive the emoluments and advantages appertaining to the office, forgoing the salary and allowances appertaining to his office of governor; and his office of governor shall be supplied, for the time during which he acts as governor-general, in the manner directed by this Act with respect to vacancies in the office of governor.

(3) If, on the vacancy occurring, it appears to the governor, who by virtue of this section holds and executes the office of governor-general, necessary to exercise the powers thereof before he takes his seat in council, he may make known by notification his appointment, and his intention to assume the office of governor-general, and thereupon the provisions of this Act respecting the assumption of the office by a person conditionally appointed to succeed thereto shall apply.

(4) Until such a governor has assumed the office of governor-general, if no conditional or other successor is on the spot to supply such vacancy, the vice-president, or, if he is absent, the senior ordinary member of the executive council, shall hold and execute the office of governor-general until the vacancy is filled in accordance with the provisions of this Act.

(5) Every vice-president or other member of council so acting as governor-general, while so acting, shall have and may exercise all the rights and powers of the office of governor-general, and shall be entitled to receive the emoluments and advantages appertaining to the office, forgoing his salary and allowances as member of council for that period.

Temporary vacancy in office of governor.

91.—(1) If a vacancy occurs in the office of governor when no conditional or other successor is on the spot to supply the vacancy, the vice-president, or, if he is absent, the senior member of the governor's executive council, or, if there is no council, the chief secretary to the local Government, shall hold and execute the office of governor until a successor arrives, or until some other person on the spot is duly appointed thereto.

(2) Every such acting governor shall, while acting as such, be entitled to receive the emoluments and advantages appertaining to the office of governor, forgoing the salary and allowances appertaining to his office of member of council or secretary.

Temporary vacancy in office of member of an executive council.

92.—(1) If a vacancy occurs in the office of an ordinary member of the executive council of the governor-general or a member of the executive council of a governor, and there is no conditional or other successor present on the spot, the Governor-General in Council or Governor in Council, as the case may be, shall supply the vacancy by appointing a temporary member of council.

(2) Until a successor arrives the person so appointed shall hold and execute the office to which he has been appointed, and shall have and may exercise all the rights and powers thereof, and shall be entitled to receive the emoluments and advantages appertaining to the office, forgoing all emoluments and advantages to which he was entitled at the time of his being appointed to that office.

(3) If any ordinary member of the executive council of the governor-general or any member of the executive council of a governor is, by infirmity or otherwise, rendered incapable of acting or of attending to act as such, or is absent on leave, then, if any person has been conditionally appointed to succeed to his office and is on the spot, the place of that member shall be supplied by that person, and, if no person conditionally appointed to succeed to the office is on the spot, the Governor-General in Council or Governor in Council, as the case may be, shall appoint some person to be a temporary member of council.

(4) Until the return to duty of the member so incapable or absent, the person conditionally or temporarily appointed shall hold and execute the office to which he has been appointed, and shall have and may exercise all the rights and powers thereof, and shall be entitled to receive half the salary of the member of council whose place he fills, and also half the salary of any other office which he may hold, if he hold any such office, the remaining half of such last-named salary being at the disposal of the Governor-General in Council or Governor in Council, as the case may be.

(5) Provided as follows:—

(*a*) no person may be appointed a temporary member of council who might not have been appointed under this Act to fill the vacancy supplied by the temporary appointment; and

(*b*) if the Secretary of State informs the governor-general that it is not the intention of His Majesty to fill a vacancy in the governor-general's executive council, no temporary appointment may be made under this section to fill the vacancy, and if any such temporary appointment has been made before the date of the receipt of the information by the governor-general, the tenure of the person temporarily appointed shall cease from that date.

Vacancies in legislative councils.

93.—(1) A nominated or elected member of the Indian Legislative Council or of a local legislative council may resign his office to the governor-general or to the governor, lieutenant-governor or chief commissioner, as the case may be, and on the acceptance of the resignation the office shall become vacant.

(2) If for a period of two consecutive months any such member is absent from India or unable to attend to the duties of his office, the governor-general, governor, lieutenant-governor or chief commissioner, as the case may be, may, by notification published in the Government Gazette, declare that the seat in council of that member has become vacant.

Leave.

94. Subject to the provisions of this Act, the Secretary of State in Council may, with the concurrence of a majority of votes at a meeting of the Council of India, make rules as to the absence on leave of persons in the service of the Crown in India, and the terms as to continuance, variation or cessation of pay, salary and allowances on which any such leave may be granted.

Power to make rules as to Indian appointments.

95.—(1) The Secretary of State in Council, with the concurrence of a majority of votes at a meeting of the Council of India, may make rules for distributing between the several authorities in India the power of making appointments to and promotions in offices under the Crown in India, and may reinstate officers and servants suspended or removed by any of those authorities.

(2) Subject to such rules, all appointments to officers and commands in India, and all promotions, which, by law, or under any regulations, usage or custom, are, at the commencement of this Act, made by any authority in India, shall, subject to the qualifications, conditions and restrictions then affecting such appointments and promotions, respectively, continue to be made in India by the like authority.

No disabilities in respect of religion, colour, or place of birth.

96. No native of British India, nor any subject of His Majesty resident therein, shall, by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any office under the Crown in India.

PART VIII.

THE INDIAN CIVIL SERVICE.

Rules for admission to the Indian Civil Service.

97.—(1) The Secretary of State in Council may, with the advice and assistance of the Civil Service Commissioners, make rules for the examination, under the superintendence of those Commissioners, of British subjects desirous of becoming candidates for appointment to the Indian Civil Service.

(2) The rules shall prescribe the age and qualifications of the candidates, and the subjects of examination.

(3) All rules made in pursuance of this section shall be laid before Parliament within fourteen days after the making thereof, or, if Parliament is not then sitting, then within fourteen days after the next meeting of Parliament.

(4) The candidates certified to be entitled under the rules shall be recommended for appointment according to the order of their proficiency as shown by their examination.

(5) Such persons only as are so certified may be appointed or admitted to the Indian Civil Service by the Secretary of State in Council.

Offices reserved to the Indian Civil Service.

98. Subject to the provisions of this Act, all vacancies happening in any of the offices specified or referred to in the Third Schedule to this Act, and all such offices which may be created hereafter, shall be filled from amongst the members of the Indian Civil Service.

Power to appoint certain persons to reserved offices.

99.—(1) The authorities in India, by whom appointments are made to offices in the Indian Civil Service, may appoint to any such office any person of proved merit and ability domiciled in British India and born in British India of parents habitually resident in India and not established there for temporary purposes only, although the person so appointed has not been admitted to that service in accordance with the foregoing provisions of this Act.

(2) Every such appointment shall be made subject to such rules as may be prescribed by the Governor-General in Council and sanctioned by the Secretary of State in Council with the

concurrence of a majority of votes at a meeting of the Council of India.

(3) The Governor-General in Council may, by resolution, define and limit the qualification of persons who may be appointed under this section, but every resolution made for that purpose shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament.

Power to make provisional appointments in certain cases.

100.—(1) Where it appears to the authority in India by whom an appointment is to be made to any office reserved to members of the Indian Civil Service, that a person not being a member of that service ought, under the special circumstances of the case, to be appointed thereto, the authority may appoint thereto any person who has resided for at least seven years in India and who has, before his appointment, fulfilled all the tests (if any) which would be imposed in the like case on a member of that service.

(2) Every such appointment shall be provisional only, and shall forthwith be reported to the Secretary of State, with the special reasons for making it; and, unless the Secretary of State in Council approves the appointment, with the concurrence of a majority of votes at a meeting of the Council of India, and within twelve months from the date of the appointment intimates such approval to the authority by whom the appointment was made, the appointment shall be cancelled.

Part IX.

The Indian High Courts.

Constitution.

Constitution of high courts.

101.—(1) The high courts referred to in this Act are the high courts of judicature for the time being established in British India by letters patent.

(2) Each high court shall consist of a chief justice and as many other judges as His Majesty may think fit to appoint: Provided as follows:—

(*i*) the Governor-General in Council may appoint persons to act as additional judges of any high court, for such period, not exceeding two years, as may be required; and the judges so appointed shall, whilst so acting, have all the powers of a judge of the high court appointed by His Majesty under this Act;

(*ii*) the maximum number of judges of a high court, including the chief justice and additional judges, shall be twenty.

(3) A judge of a high court must be—

(*a*) a barrister of England or Ireland, or a member of the Faculty of Advocates in Scotland, of not less than five years' standing; or

(*b*) a member of the Indian Civil Service of not less than ten years' standing, and having for at least three years served as, or exercised the powers of, a district judge; or

(*c*) a person having held judicial office, not inferior to that of a subordinate judge or a judge of a small cause court, for a period of not less than five years; or

(*d*) a person having been a pleader of a high court for a period of not less than ten years.

(4) Provided that not less than one-third of the judges of a high court, including the chief justice but excluding additional judges, must be such barristers or advocates as aforesaid, and that not less than one-third must be members of the Indian Civil Service.

(5) The high court for the North-Western Provinces may be styled the high court of judicature at Allahabad, and the high court at Fort William in Bengal is in this Act referred to as the high court at Calcutta.

Tenure of office of judges of high courts.

102.—(1) Every judge of a high court shall hold his office during His Majesty's pleasure.

(2) Any such judge may resign his office, in the case of the high court at Calcutta, to the Governor-General in Council, and in other cases to the local Government.

Precedence of judges of high courts.

103.—(1) The chief justice of a high court shall have rank and precedence before the other judges of the same court.

(2) All the other judges of a high court shall have rank and precedence according to the seniority of their appointments, unless otherwise provided in their patents.

Salaries, &c., of judges of high courts.

104.—(1) The Secretary of State in Council may fix the salaries, allowances, furloughs, retiring pensions, and (where necessary) expenses for equipment and voyage, of the chief justices and other judges of the several high courts, and may alter them, but any such alteration shall not affect the salary of any judge appointed before the date thereof.

(2) The remuneration fixed for a judge under this section shall commence on his taking upon himself the execution of his office, and shall be the whole profit or advantage which he shall enjoy from his office during his continuance therein.

(3) If a judge of a high court dies during his voyage to India, or within six months after his arrival there, for the purpose of taking upon himself the execution of his office, the Secretary of State shall pay to his legal personal representatives, out of the revenues of India, such a sum of money as will, with the amount received by or due to him at the time of his death on account of salary, make up the amount of one year's salary.

(4) If a judge of a high court dies while in possession of his office and after the expiration of six months from his arrival in India for the purpose of taking upon himself the execution of his office, the Secretary of State shall pay to his

legal personal representatives, out of the revenues of India, over and above the sum due to him at the time of his death, a sum equal to six months' salary.

Provision for vacancy in the office of chief justice or other judge.

105.—(1) On the occurrence of a vacancy in the office of chief justice of a high court, and during any absence of such a chief justice, the Governor-General in Council in the case of the high court at Calcutta, and the local Government in other cases, shall appoint one of the other judges of the same high court to perform the duties of chief justice of the court, until some person has been appointed by His Majesty to the office of chief justice of the court, and has entered on the discharge of the duties of that office, or until the chief justice has returned from his absence, as the case requires.

(2) On the occurrence of a vacancy in the office of any other judge of a high court, and during any absence of any such judge, or on the appointment of any such judge to act as chief justice, the Governor-General in Council in the case of the high court at Calcutta, and the local Government in other cases, may appoint a person, with such qualifications as are required in persons to be appointed to the high court, to act as a judge of the court; and the person so appointed may sit and perform the duties of a judge of the court, until some person has been appointed by His Majesty to the office of judge of the court, and has entered on the discharge of the duties of the office, or until the absent judge has returned from his absence, or until the Governor-General in Council or the local Government, as the case may be, sees cause to cancel the appointment of the acting judge.

Jurisdiction.

Jurisdiction of high courts.

106.—(1) The several high courts are courts of record and have such jurisdiction, original and appellate, including admiralty jurisdiction in respect of offences committed on the high seas, and all such powers and authority over or in relation to the administration of justice, including power to appoint clerks and other ministerial officers of the court, and power to make rules for regulating the practice of the court, as are vested in them by letters patent, and, subject to the provisions of any such letters patent, all such jurisdiction, powers and authority as are vested in those courts respectively at the commencement of this Act.

(2) The high courts have not and may not exercise any original jurisdiction in any matter concerning the revenue, or concerning any act ordered or done in the collection thereof according to the usage and practice of the country or the law for the time being in force.

Powers of high court with respect to subordinate courts.

107. Each of the high courts has superintendence over all courts for the time being subject to its appellate jurisdiction, and may do any of the following things, that is to say,—

(*a*) call for returns;

(*b*) direct the transfer of any suit or appeal from any such court to any other court of equal or superior jurisdiction;

(*c*) make and issue general rules and prescribe forms for regulating the practice and proceedings of such courts;

(*d*) prescribe forms in which books, entries and accounts shall be kept by the officers of any such courts; and

(*e*) settle tables of fees to be allowed to the sheriff, attorneys, and all clerks and officers of courts:

Provided that such rules, forms and tables shall not be inconsistent with the provisions of any Act for the time being in force, and shall require the previous approval, in the case of the high court at Calcutta, of the Governor-General in Council, and in other cases of the local Government.

Exercise of jurisdiction by single judges or division courts.

108.—(1) Each high court may by its own rules provide as it thinks fit for the exercise, by one or more judges, or by division courts constituted by two or more judges, of the high court, of the original and appellate jurisdiction vested in the court.

(2) The chief justice of each high court shall determine what judge in each case is to sit alone, and what judges of the court, whether with or without the chief justice, are to constitute the several division courts.

Power for Governor-General in Council to alter local limits of jurisdiction of high courts.

109.—(1) The Governor-General in Council may, by order, transfer any territory or place from the jurisdiction of one to the jurisdiction of any other of the high courts, and authorise any high court to exercise all or any portion of its jurisdiction in any part of British India not included within the limits for which the high court was established, and also to exercise any such jurisdiction in respect of Christian subjects of His Majesty resident in any part of India outside British India.

(2) The Governor-General in Council shall transmit to the Secretary of State an authentic copy of every order made under this section.

(3) His Majesty may signify, through the Secretary of State in Council, his disallowance of any such order, and such disallowance shall make void and annul the order as from the day on which the governor-general notifies that he has received intimation of the disallowance, but no act done by any high court before such notification shall be deemed invalid by reason only of such disallowance.

Exemption from jurisdiction of high court.

110.—(1) The governor-general, each governor, and each of the members of their respective executive councils, shall not—

(*a*) be subject to the original jurisdiction of any high court by reason of anything counselled, ordered or done by any of them in his public capacity only; nor

(*b*) be liable to be arrested or imprisoned in any suit or proceeding in any high court acting in the exercise of its original jurisdiction; nor

(*c*) be subject to the original criminal jurisdiction of any high court in respect of any offence not being treason or felony.

(2) The exemption under this section from liability to arrest and imprisonment shall extend also to the chief justices and other judges of the several high courts.

Written order by governor-general justification for act in any court in India.

111. The order in writing of the Governor-General in Council for any act shall, in any proceeding, civil or criminal, in any high court acting in the exercise of its original jurisdiction, be a full justification of the act, except so far as the order extends to any European British subject; but nothing in this section shall exempt the governor-general, or any member of his executive council, or any person acting under their orders, from any proceedings in respect of any such act before any competent court in England.

Law to be administered.

Law to be administered in cases of inheritance and succession.

112. The high courts at Calcutta, Madras and Bombay, in the exercise of their original jurisdiction in suits against inhabitants of Calcutta, Madras or Bombay, as the case may be, shall, in matters of inheritance and succession to lands, rents and goods, and in matters of contract and dealing between party and party, when both parties are subject to the same personal law or custom having the force of law, decide according to that personal law or custom, and when the parties are subject to different personal laws or customs having the force of law, decide according to the law or custom to which the defendant is subject.

Additional High Courts.

Power to establish additional high courts.

113. His Majesty may, if he sees fit, by letters patent, establish a high court of judicature in any territory in British India, whether or not included within the limits of the local jurisdiction of another high court, and confer on any high court so established any such jurisdiction, powers and authority as are vested in or may be conferred on any high court existing at the commencement of this Act; and, where a high court is so established in any area included within the limits of the local jurisdiction of another high court, His Majesty may, by letters patent, alter those limits, and make such incidental, consequential and supplemental provisions as may appear to be necessary by reason of the alteration.

Advocate-General.

Appointment and powers of advocate-general.

114.—(1) His Majesty may, by warrant under His Royal Sign Manual, appoint an advocate-general for each of the presidencies of Bengal, Madras and Bombay.

(2) The advocate-general for each of those presidencies may take on behalf of His Majesty such proceedings as may be taken by His Majesty's Attorney-General in England.

PART X.

ECCLESIASTICAL ESTABLISHMENT.

Jurisdiction of Indian bishops.

115.—(1) The bishops of Calcutta, Madras and Bombay have and may exercise within their respective dioceses such episcopal functions, and such ecclesiastical jurisdiction for the superintendence and good government of the ministers of the Church of England therein, as His Majesty may, by letters patent, direct.

(2) The Bishop of Calcutta is the Metropolitan Bishop in India, subject nevertheless to the general superintendence and revision of the Archbishop of Canterbury.

(3) Each of the bishops of Madras and Bombay is subject to the Bishop of Calcutta as such Metropolitan, and must at the time of his appointment to his bishopric, or at the time of his consecration as bishop, take an oath of obedience to the Bishop of Calcutta, in such manner as His Majesty, by letters patent, may be pleased to direct.

(4) His Majesty may, by letters patent, vary the limits of the dioceses of Calcutta, Madras and Bombay.

(5) Nothing in this Act or in any such letters patent as aforesaid shall prevent any person who is or has been bishop of any diocese in India from performing episcopal functions, not extending to the exercise of jurisdiction, in any diocese or reputed diocese at the request of the bishop thereof.

Power to admit to holy orders.

116.—(1) The Bishop of Calcutta may admit into the holy orders of deacon or priest any person whom he, on examination, deems duly qualified specially for the purpose of taking on himself the cure of souls, or officiating in any spiritual capacity, within the limits of the diocese of Calcutta, and residing therein.

(2) The deposit with the bishop of a declaration of such a purpose, and a written engagement to perform the same, signed by the person seeking ordination, shall be a sufficient title with a view to his ordination.

(3) It must be distinctly stated in the letters of ordination of every person so admitted to holy orders that he has been ordained for the cure of souls within the limits of the diocese of Calcutta only.

(4) Unless a person so admitted is a British subject of or belonging to the United Kingdom, he shall not be required to take the oaths and make the subscriptions which persons ordained in England are required to take and make.

(5) Nothing in this section shall affect any letters patent issued by His Majesty.

Consecration of person resident in India appointed to bishopric.

117. If any person under the degree of bishop is appointed to the bishopric of Calcutta, Madras or Bombay, being at the time of his appointment resident in India, the Archbishop of Canterbury, if so required to do by His Majesty by letters

patent, may issue a commission under his hand and seal, directed to the two remaining bishops, authorising and charging them to perform all requisite ceremonies for the consecration of the person so to be appointed.

Salaries and allowances of bishops and archdeacons.

118.—(1) The bishops and archdeacons of Calcutta, Madras and Bombay are appointed by His Majesty by letters patent, and there may be paid to them, or to any of them, out of the revenues of India, such salaries and allowances as may be fixed by the Secretary of State in Council; but any power of alteration under this enactment shall not be exercised so as to impose any additional charge on the revenues of India.

(2) The remuneration fixed for a bishop or archdeacon under this section shall commence on his taking upon himself the execution of his office, and be the whole profit or advantage which he shall enjoy from his office during his continuance therein, and continue so long as he exercises the functions of his office.

(3) There shall be paid out of the revenues of India the expenses of visitations of the said bishops, but no greater sum may be issued on account of those expenses than is allowed by the Secretary of State in Council.

Payments to representatives of bishops.

119.—(1) If the Bishop of Calcutta dies during his voyage to India for the purpose of taking upon himself the execution of his office, or if the Bishop of Calcutta, Madras or Bombay dies within six months after his arrival there for that purpose, the Secretary of State shall pay to his legal personal representatives, out of the revenues of India, such a sum of money as will, with the amount received by or due to him at the time of his death on account of salary, make up the amount of one year's salary.

(2) If the Bishop of Calcutta, Madras or Bombay dies while in possession of his office and after the expiration of six months from his arrival in India for the purpose of taking upon himself the execution of his office, the Secretary of State shall pay to his legal personal representatives, out of the revenues of India, over and above the sum due to him at the time of his death, a sum equal to six months' salary.

Pensions to bishops.

120. His Majesty may, by warrant under the Royal Sign Manual, countersigned by the Chancellor of the Exchequer, grant, out of the revenues of India, to any Bishop of Calcutta a pension not exceeding fifteen hundred pounds per annum if he has resided in India as Bishop of Calcutta, Madras or Bombay or archdeacon for ten years, or one thousand pounds per annum if he has resided in India as Bishop of Calcutta for seven years, or seven hundred and fifty pounds per annum if he has resided in India as Bishop of Calcutta for five years, or to any Bishop of Madras or Bombay a pension not exceeding eight hundred pounds per annum, to be paid quarterly, if he has resided in British India as such bishop for fifteen years.

Furlough rules.

121. His Majesty may make such rules as to the leave of absence of the Bishops of Calcutta, Madras and Bombay on furlough or medical certificate as seem to His Majesty expedient.

Establishment of chaplains of Church of Scotland.

122.—(1) Two members of the establishment of chaplains maintained in each of the presidencies of Bengal, Madras and Bombay must always be ministers of the Church of Scotland, and shall be entitled to have, out of the revenues of India, such salary as is from time to time allotted to the military chaplains in the several presidencies.

(2) The ministers so appointed chaplains must be ordained and inducted by the presbytery of Edinburgh according to the forms and solemnities used in the Church of Scotland, and shall be subject to the spiritual and ecclesiastical jurisdiction in all things of the presbytery of Edinburgh, whose judgments shall be subject to dissent, protest and appeal to the Provincial Synod of Lothian and Tweeddale and to the General Assembly of the Church of Scotland.

Saving as to grants to Christians.

123. Nothing in this Act shall prevent the Governor-General in Council from granting, with the sanction of the Secretary of State in Council, to any sect, persuasion or community of Christians, not being of the Church of England or Church of Scotland, such sums of money as may be expedient for the purpose of instruction or for the maintenance of places of worship.

PART XI.

OFFENCES, PROCEDURE AND PENALTIES.

Certain acts to be misdemeanours.

124. If any person holding office under the Crown in India does any of the following things, that is to say,—

Oppression.

(1) if he oppresses any British subject within his jurisdiction or in the exercise of his authority; or

Wilful disobedience.

(2) if (except in case of necessity, the burden of proving which shall be on him) he wilfully disobeys, or wilfully omits, forbears or neglects to execute, any orders or instructions of the Secretary of State; or

Breach of duty.

(3) if he is guilty of any wilful breach of the trust and duty of his office; or

Trading.

(4) if, being the governor-general, or a governor, lieutenant-governor or chief commissioner, or a member of the executive council of the governor-general or of a governor or lieutenant-governor, or being a person employed or concerned in the collection of revenue or the administration of justice, he is concerned in, or has any dealings or transactions by way of, trade or business in any part of India, for the benefit either

of himself or of any other person, otherwise than as a shareholder in any joint stock company or trading corporation; or

(5) if he demands, accepts or receives, by himself or another, in the discharge of his office, any gift, gratuity or reward, pecuniary or otherwise, or any promise of the same, except in accordance with such rules as may be made by the Secretary of State as to the receipt of presents, and except in the case of fees paid or payable to barristers, physicians, surgeons and chaplains in the way of their respective professions, Receiving presents.

he shall be guilty of a misdemeanour; and if he is convicted of having demanded, accepted or received any such gift, gratuity or reward, the same, or the full value thereof, shall be forfeited to the Crown, and the court may order that the gift, gratuity or reward, or any part thereof, be restored to the person who gave it, or be given to the prosecutor or informer, and that the whole or any part of any fine imposed on the offender be paid or given to the prosecutor or informer, as the court may direct.

Loans to princes or chiefs.

125.—(1) If any European British subject, without the previous consent in writing of the Secretary of State in Council or of the Governor-General in Council or of a local Government, by himself or another,—

(*a*) lends any money or other valuable thing to any prince or chief in India; or

(*b*) is concerned in lending money to, or raising or procuring money for, any such prince or chief, or becomes security for the repayment of any such money; or

(*c*) lends any money or other valuable thing to any other person for the purpose of being lent to any such prince or chief; or

(*d*) takes, holds, or is concerned in any bond, note or other security granted by any such prince or chief for the repayment of any loan or money herein-before referred to,

he shall be guilty of a misdemeanour.

(2) Every bond, note, or security for money, of what kind or nature soever, taken, held or enjoyed, either directly or indirectly, for the use and benefit of any European British subject, contrary to the intent of this section, shall be void.

Carrying on dangerous correspondence.

126.—(1) If any person carries on, mediately or immediately, any illicit correspondence, dangerous to the peace or safety of any part of British India, with any prince, chief, landholder or other person having authority in India, or with the

commander, governor, or president of any foreign European settlement in India, or any correspondence, contrary to the rules and orders of the Secretary of State or of the Governor-General in Council or a Governor in Council, he shall be guilty of a misdemeanour; and the governor-general or governor may issue a warrant for securing and detaining in custody any person suspected of carrying on any such correspondence.

(2) If, on examination taken on oath in writing of any credible witness before the Governor-General in Council or the Governor in Council, there appear reasonable grounds for the charge, the governor-general or governor may commit the person suspected or accused to safe custody, and shall within a reasonable time, not exceeding five days, cause to be delivered to him a copy of the charge on which he is committed.

(3) The person charged may deliver his defence in writing, with a list of such witnesses as he may desire to be examined in support thereof.

(4) The witnesses in support of the charge and of the defence shall be examined and cross-examined on oath in the presence of the person charged, and their depositions and examination shall be taken down in writing.

(5) If, notwithstanding the defence, there appear to the Governor-General in Council or Governor in Council reasonable grounds for the charge and for continuing the confinement, the person charged shall remain in custody until he is brought to trial in India or sent to England for trial.

(6) All such examinations and proceedings, or attested copies thereof under the seal of the high court, shall be sent to the Secretary of State as soon as may be, in order to their being produced in evidence on the trial of the person charged in the event of his being sent for trial to England.

(7) If any such person is to be sent to England, the governor-general or governor, as the case may be, shall cause him to be so sent at the first convenient opportunity, unless he is disabled by illness from undertaking the voyage, in which case he shall be so sent as soon as his state of health will safely admit thereof.

(8) The examinations and proceedings transmitted in pursuance of this section shall be received as evidence in all courts of law, subject to any just exceptions as to the competency of the witnesses.

Prosecution of offences in England.

127.—(1) If any person holding office under the Crown in India commits any offence under this Act, or any offence against any person within his jurisdiction or subject to his authority, the offence may, without prejudice to any other jurisdiction, be inquired of, heard, tried and determined before His Majesty's High Court of Justice, and be dealt with as if committed in the county of Middlesex.

(2) Every British subject shall be amenable to all courts of justice in the United Kingdom, of competent jurisdiction to try offences committed in India, for any offence committed within India and outside British India, as if the offence had been committed within British India.

Limitation for prosecutions in British India.

128. Every prosecution before a high court in British India in respect of any offence referred to in the last foregoing section must be commenced within six years after the commission of the offence.

Penalties.

129. If any person commits any offence referred to in this Act he shall be liable to such fine or imprisonment or both as the court thinks fit, and shall be liable, at the discretion of the court, to be adjudged to be incapable of serving the Crown in India in any office, civil or military; and, if he is convicted in British India by a high court, the court may order that he be sent to Great Britain.

Part XII.

Supplemental.

Repeal of Acts.

Repeal.

130. The Acts specified in the Fourth Schedule to this Act are hereby repealed, to the extent mentioned in the third column of that Schedule:

Provided that this repeal shall not affect—

(*a*) the validity of any law, charter, letters patent, Order in Council, warrant, proclamation, notification, rule, resolution, order, regulation, direction or contract made, or form prescribed, or table settled, under any enactment hereby repealed and in force at the commencement of this Act, or

(*b*) the validity of any appointment, or any grant or appropriation of money or property, made under any enactment hereby repealed, or

(*c*) the tenure of office, conditions of service, terms of remuneration or right to pension of any officer appointed before the commencement of this Act.

Savings.

Saving as to certain rights and powers.

131.—(1) Nothing in this Act shall derogate from any rights vested in His Majesty, or any powers of the Secretary of State in Council, in relation to the government of India.

(2) Nothing in this Act shall affect the power of Parliament to control the proceedings of the Governor-General in Council, or to repeal or alter any law made by any authority in British India, or to legislate for British India and the inhabitants thereof.

(3) Nothing in this Act shall affect the power of the Governor-General in Legislative Council to repeal or alter any of the provisions mentioned in the Fifth Schedule to this Act, or the validity of any previous exercise of this power.

Treaties, contracts and liabilities of East India Company.

132. All treaties made by the East India Company, so far as they are in force at the commencement of this Act, are binding on His Majesty, and all contracts made and liabilities incurred by the East India Company may, so far as they are outstanding at the commencement of this Act, be enforced by and against the Secretary of State in Council.

Orders of East India Company.

133. All orders, regulations and directions lawfully made or given by the Court of Directors of the East India Company, or by the Commissioners for the Affairs of India, are, so far as they are in force at the commencement of this Act, deemed to be orders, rules and directions made or given by the Secretary of State under this Act.

Definitions, Short Title and Commencement.

Definitions.

134. In this Act, unless the context otherwise requires,—

(1) "Governor-General in Council" means the governor-general in executive council;

(2) "Governor in Council" means a governor in executive council;

(3) "Lieutenant-Governor in Council" means a lieutenant-governor in executive council;

(4) "local Government" means a Governor in Council, Lieutenant-Governor in Council, lieutenant-governor or chief commissioner;

(5) "office" includes place and employment;

(6) "province" includes a presidency; and

(7) references to rules made under this Act include rules or regulations made under any enactment hereby repealed, until they are altered under this Act.

Short title and commencement.

135. This Act may be cited as the Government of India Act, 1915, and shall come into operation on the first day of January one thousand nine hundred and sixteen.

SCHEDULES.

FIRST SCHEDULE.

Sections 63 (2), 74 (1), 76 (1).

Maximum Number of Nominated or Elected Members of Legislative Councils.

Legislative Council.	Maximum Number.
Indian Legislative Council	Sixty.
Local Legislative Councils—	
Bengal Legislative Council	Fifty.
Madras Legislative Council	Fifty.
Bombay Legislative Council	Fifty.
Bihar and Orissa Legislative Council	Fifty.
United Provinces Legislative Council	Fifty.
Punjab Legislative Council	Thirty.
Burma Legislative Council	Thirty.
Assam Legislative Council	Thirty.
Central Provinces Legislative Council	Thirty.
Legislative Council of the lieutenant-governor of any province hereafter constituted	Thirty.

SECOND SCHEDULE.

Section 85

Offical Salaries, &c.

Officer.	Maximum Annual Salary.
Governor-General of India	Two hundred and fifty-six thousand rupees.
Governor	One hundred and twenty-eight thousand rupees.
Commander-in-Chief of His Majesty's forces in India.	One hundred thousand rupees.
Lieutenant-Governor	One hundred thousand rupees.
Ordinary member of the governor-general's executive council.	*
Member of a governor's executive council.	Sixty-four thousand rupees.

* No statutory maximum has been fixed.

Section 98.

THIRD SCHEDULE.

OFFICES RESERVED TO THE INDIAN CIVIL SERVICE.

Part I.—General.

1. Secretaries, joint secretaries, deputy secretaries and under secretaries to the several Governments in India, except the secretaries, joint secretaries, deputy secretaries and under secretaries in the Army, Marine and Public Works Departments.

2. Accountants-general.

3. Members of the Board of Revenue in the presidencies of Bengal and Madras, the United Provinces of Agra and Oudh and the Province of Bihar and Orissa.

4. Secretaries to those Boards of Revenue.

5. Commissioners of customs, salt, excise and opium.

6. Opium agent.

Part II.—Offices in the provinces which were known in the year 1861 *as "Regulation Provinces."*

7. District and sessions judges.

8. Additional district or sessions judges and assistant sessions judges.

9. District magistrates.

10. Joint magistrates.

11. Assistant magistrates.

12. Commissioners of revenue.

13. Collectors of revenue, or chief revenue officers of districts.

14. Assistant collectors.

Section 130.

FOURTH SCHEDULE.

ACTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
10 Geo. 3, c. 47.	The East India Company Act, 1770.	The whole Act.
13 Geo. 3, c. 63.	The East India Company Act, 1772.	The whole Act, except sections forty-two, forty-three and forty-five.
21 Geo. 3, c. 70.	The East India Company Act, 1780.	The whole Act, except section eighteen.

Session and Chapter.	Short Title.	Extent of Repeal.
26 Geo. 3, c. 57.	The East India Company Act, 1786.	Section thirty-eight.
33 Geo. 3, c. 52.	The East India Company Act, 1793.	The whole Act.
37 Geo. 3, c. 142.	The East India Act, 1797 -	The whole Act, except section twelve.
39 & 40 Geo. 3, c. 79.	The Government of India Act, 1800.	The whole Act.
53 Geo. 3, c. 155.	The East India Company Act, 1813.	The whole Act.
55 Geo. 3, c. 84.	The Indian Presidency Towns Act, 1815.	The whole Act.
4 Geo. 4, c. 71.	The Indian Bishops and Courts Act, 1823.	The whole Act.
6 Geo. 4, c. 85.	The Indian Salaries and Pensions Act, 1825.	The whole Act.
7 Geo. 4, c. 56.	The East India Officers' Act, 1826.	The whole Act.
3 & 4 Will. 4, c. 85.	The Government of India Act, 1833.	The whole Act, except section one hundred and twelve.
5 & 6 Will. 4, c. 52.	The India (North-West Provinces) Act, 1835.	The whole Act.
7 Will. 4 and 1 Vict., c. 47.	The India Officers' Salaries Act, 1837.	The whole Act.
5 & 6 Vict., c. 119.	The Indian Bishops Act, 1842.	The whole Act.
16 & 17 Vict., c. 95.	The Government of India Act, 1853.	The whole Act.
17 & 18 Vict., c. 77.	The Government of India Act, 1854.	The whole Act.
21 & 22 Vict., c. 106.	The Government of India Act, 1858.	The whole Act, except section four.
22 & 23 Vict., c. 41.	The Government of India Act, 1859.	The whole Act.
23 & 24 Vict., c. 100.	The European Forces (India) Act, 1860.	The whole Act.
23 & 24 Vict., c. 102.	The East India Stock Act, 1860.	The whole Act, except section six.

Session and Chapter.	Short Title.	Extent of Repeal.
24 & 25 Vict., c. 54.	The Indian Civil Service Act, 1861.	The whole Act.
24 & 25 Vict., c. 67.	The Indian Councils Act, 1861.	The whole Act.
24 & 25 Vict., c. 104.	The Indian High Courts Act, 1861.	The whole Act.
28 & 29 Vict., c. 15.	The Indian High Courts Act, 1865.	The whole Act.
28 & 29 Vict., c. 17.	The Government of India Act, 1865.	The whole Act.
32 & 33 Vict., c. 97.	The Government of India Act, 1869.	The whole Act.
32 & 33 Vict., c. 98.	The Indian Councils Act, 1869.	The whole Act.
33 & 34 Vict., c. 3.	The Government of India Act, 1870.	The whole Act.
33 & 34 Vict., c. 59.	The East India Contracts Act, 1870.	The whole Act.
34 & 35 Vict., c. 34.	The Indian Councils Act, 1871.	The whole Act.
34 & 35 Vict., c. 62.	The Indian Bishops Act, 1871.	The whole Act.
37 & 38 Vict., c. 3.	The East India Loan Act, 1874.	Section fifteen.
37 & 38 Vict., c. 77.	The Colonial Clergy Act, 1874.	Section thirteen.
37 & 38 Vict., c. 91.	The Indian Councils Act, 1874.	The whole Act.
43 Vict., c. 3.	The Indian Salaries and Allowances Act, 1880.	The whole Act.
44 & 45 Vict., c. 63.	The India Office Auditor Act, 1881.	The whole Act.
47 & 48 Vict., c. 38.	The Indian Marine Service Act, 1884.	Sections two, three, four and five.
55 & 56 Vict., c. 14.	The Indian Councils Act, 1892.	The whole Act.
3 Edw. 7, c. 11.	The Contracts (India Office) Act, 1903.	The whole Act.

Session and Chapter.	Short Title.	Extent of Repeal.
4 Edw. 7, c. 26.	The Indian Councils Act, 1904.	The whole Act.
7 Edw. 7, c. 35.	The Council of India Act, 1907.	The whole Act.
9 Edw. 7, c. 4.	The Indian Councils Act, 1909.	The whole Act.
1 & 2 Geo. 5, c. 18.	The Indian High Courts Act, 1911.	The whole Act.
1 & 2 Geo. 5, c. 25.	The Government of India Act Amendment Act, 1911.	The whole Act.
2 & 3 Geo. 5, c. 6.	The Government of India Act, 1912.	The whole Act.

FIFTH SCHEDULE.

Section 131 (3).

PROVISIONS OF THIS ACT WHICH MAY BE REPEALED OR ALTERED BY THE GOVERNOR-GENERAL IN LEGISLATIVE COUNCIL.

Section.	Subject.
16 - - - - - - -	Transmission of information by the Governor-General in Council to the Secretary of State.
33, the last twenty words -	Obedience of Governor-General in Council to orders of Secretary of State.
40 (1) - - - - - -	Form and signature of proceedings of Governor-General in Council.
41 (1), the words "the Governor-General in Council shall be bound by the opinion and decision of the majority of those present."	Governor-General in Council to be bound by the opinion and decision of the majority of the members present at a meeting of the executive council.
41 (4) - - - - - -	Restriction of powers of governor-general in acting against the opinion of the majority present at a meeting of his executive council.

Section.	Subject.
43 (2) - - - - - -	Orders by governor-general to local Governments or officers or servants during absence from his executive council.
43 (3) - - - - - -	Suspension by Secretary of State in Council of the power to issue orders under section 43 (2).
44 - - - - - - -	Restrictions on power of Governor-General in Council to make war or treaty.
45 (2) - - - - - -	Restrictions on power of local Government to make war or treaty; punishment of officers disobeying orders of Governor-General in Council under this sub-section.
47 (3) - - - - - -	Commander-in-chief when to be a member of a governor's executive council.
49 (1) - - - - - -	Form and signature of proceedings of Governor-in-Council.
50 (2) - - - - - -	Power of governor to act against the opinion of the majority present at a meeting of his executive council.
50 (3) - - - - - -	Written communications, and signature, in such cases.
50 (4) - - - - - -	Restriction on powers of governor in acting against the opinion of the majority present at a meeting of his executive council.
51, first paragraph, the last twelve words.	Powers of member of governor's executive council presiding in absence of governor.
51, proviso - - - - -	Governor's signature to proceedings of meeting held in his absence.
62 - - - - - - -	Power to extend limits of presidency-towns.
104 (2) - - - - - -	Commencement and exclusiveness of official remuneration of judges of high courts.
104 (3), (4) - - - - -	Payments to representatives of deceased judges of high courts.
106 - - - - - - -	Jurisdiction, powers and authority of high courts.
108 (1 - - - - - -	Exercise of jurisdiction of high court by single judges or division courts.

Section.	Subject.
109 - - - - - - -	Power for Governor-General in Council to alter local limits of jurisdiction of high courts, etc.
110 - - - - - - -	Exemption from jurisdiction of high courts.
111 - - - - - -	Written order by Governor-General in Council a justification for act in high court.
112 - - - - - - -	Law to be administered in cases of inheritance, succession, contract and dealing between party and party.
114 (2) - - - - - -	Powers of advocate-general.
116 - - - - - - -	Power of Bishop of Calcutta to admit to holy orders.
118 (2)—so far as it relates to the Bishop of Calcutta and archdeacons.	Commencement, exclusiveness and continuance of official remuneration.
118 (3)—so far as it relates to the Bishop of Calcutta.	Expenses of visitations.
119—so far as it relates to the Bishop of Calcutta.	Payments to representatives of deceased bishop.
120—so far as it relates to residence of the Bishop of Calcutta as such bishop or as archdeacon.	Pensions.
124 (1) - - - - - -	Oppression.
124 (4)—so far as it relates to persons employed or concerned in the collection of revenue or the administration of justice.	Trading.
124 (5)—so far as it relates to persons other than the governor-general, a governor, or a member of the executive council of the governor-general or of a governor.	Receiving presents.
125 - - - - - - -	Loans to princes or chiefs.
126 - - - - - - -	Carrying on dangerous correspondence.
127 - - - - - - -	Prosecution of offences in the United Kingdom.

Section.	Subject.
128 - - - - - -	Limitation for prosecutions in British India.
129 - - - - - -	Penalties.

CHAPTER 62.

An Act to grant certain duties of Customs and Inland Revenue, including Excise, to alter other duties, and to amend the Law relating to Customs and Inland Revenue, including Excise, and the National Debt, and to make further provision in connection with Finance.

[29th July 1915.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted, by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

CUSTOMS AND EXCISE.

Duty on tea. 5 Geo. 5. c. 7.

1. The duty of Customs payable on tea until the first day of July, nineteen hundred and fifteen, under the Finance Act, 1914 (Session 2), shall continue to be charged, levied, and paid until the first day of July nineteen hundred and sixteen, on the importation thereof into Great Britain or Ireland (that is to say):—

Tea, the pound - - - eightpence.

Duties on immature spirits.

2. In addition to the duties of Customs payable on spirits imported into Great Britain or Ireland there shall, as from the eighteenth day of May nineteen hundred and fifteen, be charged, levied and paid the duties specified in Part I. of the Schedule to this Act; and in addition to the Excise duty payable on spirits there shall, as from the same date, be charged, levied and paid the duties specified in Part II. of the Schedule to this Act:

Provided that—

(*a*) The additional duties under this section shall not be charged on mixtures, compounds, or preparations which on importation are charged with duty in respect of the spirit contained in them or used in their preparation or manufacture if the mixture, compound, or preparation is one which is recognised by the Commissioners of Customs and Excise as being used for medical purposes; and

(*b*) If any person proves to the satisfaction of the Commissioners of Customs and Excise that any spirits to which the restrictions contained in the Immature Spirits (Restriction) Act, 1915, do not apply, have been delivered to him and used solely in the manufacture or preparation of any article recognised by the Commissioners of Customs and Excise as an article used for medical purposes or have been used for scientific purposes, that person shall be entitled to obtain from the Commissioners repayment of the amount of duty (if any) paid under this section in respect of the spirit used; and 5 & 6 Geo. 5. c. 46.

(*c*) The additional duties under this section shall, in the case of blended spirits, be subject to the modifications specified in Part III. of the schedule to this Act.

Repayment of proportional part of duty on a liquor licence in cases where business is discontinued. 10 Edw. 7. c. 8.

3. Where the holder of any of the manufacturers', wholesale dealers', or retailers' licences specified in the First Schedule to the Finance (1909–10) Act, 1910, satisfies the Commissioners of Customs and Excise that the business for the purpose of which or in connection with which the licence has been granted has been permanently discontinued, he shall be entitled to surrender the licence and to obtain from the Commissioners repayment, or so far as the duty has not been paid remission, of such part of the duty for the year as bears to the full amount of that duty the same proportion as the period of the licence unexpired at the date of the surrender bears to a whole year:

Provided that a person shall not be entitled to obtain any repayment or remission of duty under this section where the business has been discontinued owing to the disqualification either of the premises or the licence holder by reason of the conviction of the licence holder for some offence.

Allowance in respect of duty on spoilt beer.

4.—(1) If it is proved to the satisfaction of the Commissioners of Customs and Excise that any beer which has been removed from the entered premises of a brewer for consumption has accidentally become spoilt or otherwise unfit for use and, in the case of beer delivered to another person, has been returned to the brewer as so spoilt or unfit for use, the Commissioners shall, subject to such regulations as they may prescribe, remit or repay the duty charged or paid in respect of the beer.

(2) If any person contravenes or fails to comply with any of the regulations made by the Commissioners under this section,

he shall in respect of each offence be liable to an excise penalty of fifty pounds.

(3) If any person for the purpose of obtaining any remission or repayment of duty under this section knowingly makes any false statement or false representation he shall be liable on summary conviction to imprisonment with or without hard labour for a term not exceeding six months.

Amendment of s. 45 of Finance (1909–10) Act, 1910.

5. Where the duty payable under the Finance (1909–10) Act, 1910, in respect of the licence for any such premises as are mentioned in section forty-five of that Act would, but for the provisions of this section, be the full duty and not the reduced duty payable under that section, and the person applying for the licence shows to the satisfaction of the Commissioners of Customs and Excise that the receipts from the sale of intoxicating liquor in the preceding year were made to exceed, in the case of a restaurant two-fifths, and in the case of any other premises one-third of the total receipts in that year from the business of all descriptions carried on by the licence holder in the premises by reason either that—

(1) the receipts from the sale of intoxicating liquor were increased on account of the addition to the duty on beer imposed by the Finance Act, 1914 (Session 2); or

(2) The receipts other than the receipts from the sale of intoxicating liquor were diminished through circumstances connected with the present war;

or for both of those reasons, then, for the purpose of ascertaining whether the reduced duty is payable in respect of the licence, the said section forty-five shall have effect as if three-fifths were substituted for two-fifths and one-half were substituted for one-third.

This section shall have effect as respects any licence taken out on or after the twenty-ninth day of May nineteen hundred and fifteen.

Restriction of hours (extension of relief).

6. Section nine of the Finance Act, 1914 (Session 2), (which provides for a reduction of licence duty where hours of sale are curtailed) shall, in addition to the cases therein specified, apply to cases in which the holder of any retailer's on-licence proves to the satisfaction of the Commissioners of Customs and Excise that, during the continuance of and in connection with the present war, the sale or consumption of intoxicating liquor on his premises has been suspended during any normal hours of sale either—

(*a*) voluntarily at the request of any naval, military, or civil authority; or

(*b*) under any order made under section sixty-three of the Licensing (Consolidation) Act, 1910, section twelve of the Temperance (Scotland) Act, 1913, section twenty-one of the Licensing (Ireland) Act, 1833, or section thirty of the Refreshment Houses (Ireland) Act, 1860.

10 Edw. 7. & 1 Geo. 5. c. 24.
3 & 4 Geo. 5. c. 33.
3 & 4 Will. 4. c. 68.
23 & 24 Vict. c. 107.

Exemption of motor ambulances in respect of duty on motor spirit.

7. Any person using motor spirit for the purpose of supplying motive power to any motor ambulance when used as such shall be entitled to an allowance or repayment of the duty paid in respect of the motor spirit in the same manner as a person using motor spirit for purposes other than the supply of motive power for motor cars.

Power to warehouse certain spirits of wine on drawback for home consumption or for delivery duty free for use in arts, &c. 43 & 44 Vict. c. 24. 2 Edw. 7. c. 7.

8.—(1) Notwithstanding anything in section ninety-five of the Spirits Act, 1880, a rectifier may, subject to the provisions of that section—

(*a*) warehouse for home consumption spirits of wine of a strength of seventy-four degrees over proof or upwards rectified by him from spirits on which duty has been paid; or

(*b*) warehouse for delivery to a person entitled to receive spirits duty free under section eight of the Finance Act, 1902, spirits of wine of a strength of fifty degrees over proof or upwards so rectified.

(2) The Commissioners of Customs and Excise may make regulations with respect to the conditions under which spirits of wine of a strength of seventy-four degrees over proof or upwards may be warehoused by a distiller or a rectifier, and may by any such regulations modify as respects any such spirits any of the provisions of the Spirits Act, 1880, or any other enactment relating to the warehousing of spirits.

(3) If any person contravenes or fails to comply with any regulations made under this section he shall be liable to an excise penalty of one hundred pounds.

(4) Notwithstanding anything in section twenty-one of the Revenue Act, 1889, the allowance payable under section three of the Customs and Inland Revenue Act, 1885, in respect of spirits of the nature of spirits of wine shall, in the case of any such spirits as are mentioned in subsection (1) of this section, be payable only on the exportation of the spirits or on the spirits being used in the warehouse, and not on the deposit of the spirits in the warehouse. 52 & 53 Vict. c. 42. 48 & 49 Vict. c. 51.

Allowance on British-grown tobacco exported or manufactured in bond. 26 & 27 Vict. c. 7.

9.—(1) Where any unmanufactured tobacco grown in the United Kingdom is exported, or where any tobacco grown in the United Kingdom which has been deposited in any warehouse approved by the Commissioners of Customs and Excise under section two of the Manufactured Tobacco Act, 1863, is shown to the satisfaction of the Commissioners to have been therein manufactured into cavendish or negrohead, there shall, subject to the provisions of this section, be paid in respect of every pound of that tobacco an allowance of twopence.

(2) The allowance shall be paid in the case of tobacco exported to the exporter, and in the case of tobacco manufactured in a warehouse to the manufacturer.

(3) No allowance shall be paid under this section—

(*a*) In respect of any tobacco which, in the opinion of the said Commissioners, is not in a marketable condition or has not been fully cured; or

(*b*) Except upon production to the person by whom the allowance is to be paid of a certificate from the proper officer of Customs and Excise that the tobacco has been exported or manufactured into cavendish or negrohead as aforesaid.

(4) No allowance shall be paid under this section after the expiration of two years from the exportation or deposit of the tobacco, as the case may be.

PART II.

Income tax for 1915–16.

10.—(1) Income tax for the year beginning on the sixth day of April, nineteen hundred and fifteen, shall be charged at the rate of two shillings and sixpence, and super-tax shall be charged, levied, and paid for that year at double the rates mentioned in section three of the Finance Act, 1914.

4 & 5 Geo. 5. c. 10.

(2) All such enactments relating to income tax, including super-tax, as were in force with respect to the duties of income tax granted for the year beginning on the sixth day of April, nineteen hundred and fourteen, shall have full force and effect with respect to any duties of income tax hereby granted:

Provided that—

(*a*) Sections four and six of the Finance Act, 1914, which confer relief with respect to earned income and small incomes respectively, shall have effect as though the rates mentioned in those sections were doubled; and

5 Geo. 5. c. 7.

(*b*) Subsection (1) of section twelve of the Finance Act, 1914 (Session 2), shall not have effect with respect to any duties of income tax hereby granted.

(3) The annual value of any property which has been adopted for the purpose either of income tax under Schedules A. and B. in the Income Tax Act, 1853, or of inhabitated house duty, for the year ending on the fifth day of April, nineteen hundred and fifteen, shall be taken as the annual value of such property for the same purpose for the next subsequent year; provided that this subsection—

16 & 17 Vict. c. 34.

(*a*) so far as respects the duty on inhabited houses in Scotland, shall be construed with the substitution of the twenty-fourth day of May for the fifth day of April; and

(*b*) shall not apply to the metropolis as defined by the Valuation (Metropolis) Act, 1869.

32 & 33 Vict. c. 67.

Separate assessment of life assurance business.

11. Where an assurance company carries on life assurance business in conjunction with assurance business of any other class, the life assurance business of the company shall, for the purposes of the Income Tax Acts, be treated as a separate business from any other class of business carried on by the company.

Provision as to calculation of loss where company carries on life assurance business. 5 & 6 Vict. c. 35. 53 Vict. c. 8.

12. In ascertaining for the purposes of section one hundred and one of the Income Tax Act, 1842, or of section twenty-three of the Customs and Inland Revenue Act, 1890, whether an assurance company has sustained a loss in respect of its life assurance business, any income of the company derived from the investment of its life assurance fund shall be treated as part of the profits of the company acquired in that business.

Accountability of company for income tax deducted from annuities. 51 Vict. c. 8.

13. The amount of annuities which an assurance company carrying on the business of granting annuities is entitled, for the purposes of subsection (3) of section twenty-four of the Customs and Inland Revenue Act, 1888, to treat as having been paid out of profits or gains brought into charge to income tax shall not exceed the amount of the taxed income of its annuity fund.

Relief from income tax to certain companies in respect of expenses of management

14.—(1) Where an assurance company carrying on life assurance business or any company whose business consists mainly in the making of investments, and the principal part of whose income is derived therefrom, claims and proves to the satisfaction of the Special Commissioners that for any income tax year it has been charged to income tax by deduction or otherwise, and has not been so charged in respect of its profits in accordance with the rules under the first case in section one hundred of the Income Tax Act, 1842, the company shall be entitled to repayment of so much of the tax paid by it as is equal to the amount of the tax on any sums disbursed as expenses of management (including commissions) for that year:

Provided that—

(*a*) relief shall not be given under this section so as to make the income tax paid by the company less than the tax which would have been paid if the profits of the company had been charged in accordance with the said rules; and

(*b*) the amount of any fines, fees, or profits arising from reversions in the case of an assurance company, and in the case of any other company the amount of any income or profits derived from sources not charged to income tax, shall be deducted from the amount treated as expenses of management for the year; and

(*c*) in calculating profits arising from reversions, the company may set off against those profits any loss arising from reversions for any previous year during which this section was in operation.

(2) Notice of any claim to the Special Commissioners under this section together with the particulars thereof shall be given in writing to the surveyor of taxes for the district within twelve months after the expiration of the income tax year in respect of which the claim is made, and where the surveyor objects to such claim the Special Commissioners shall hear and determine

the same in like manner as in the case of an appeal to them against an assessment under Schedule D., and section fifty-nine of the Taxes Management Act, 1880 (which relates to the statement of a case on a point of law), and any rules made for the purposes of that section shall apply in the case of any such appeal.

43 & 44 Vict. c. 19.

(3) A company shall not be entitled to any relief under this section in respect of any expenses as to which relief may be claimed or allowed under section thirty-five of the Finance Act, 1894, or section sixty-nine of the Finance (1909-10) Act, 1910, as extended by section eight of the Finance Act, 1914, by which enactments relief is conferred in respect of the cost of maintenance, repairs, insurance, or management of land or houses.

57 & 58 Vict. c. 30.

Charge of income tax on investments of foreign assurance companies doing business in the United Kingdom.

15.—(1) Where an assurance company not having its head office in the United Kingdom carries on life assurance business through any branch or agency in the United Kingdom, any income of the company from the investments of its life assurance fund (excluding the annuity fund, if any), wherever received, shall, to the extent provided in this section, be deemed to be profits comprised in Schedule D. of the Income Tax Act, 1853, and shall be charged under the rules of the third case in section one hundred of the Income Tax Act, 1842.

(2) Such portion only of the income from the investments of the life assurance fund shall be charged under this section as bears the same proportion to the total income from those investments as the amount of premiums received in that year from policy holders resident in the United Kingdom and from policy holders resident abroad whose proposals were made to the company at or through its office or agency in the United Kingdom bears to the total amount of the premiums received by the company:

Provided that in the case of an assurance company having its head office in any British possession the Commissioners of Inland Revenue may, by regulation, substitute some basis other than that prescribed by this section for the purpose of ascertaining the portion of the income from investments to be charged under this section as being income derived from business carried on in the United Kingdom.

(3) The relief conferred by this Act in respect of expenses of management shall, in the case of a company charged to income tax under this section, be calculated by reference to a like proportion of the total expenses of management of the company for the year estimated in accordance with the provisions of this Act.

(4) Every assessment under this section shall be made by the Special Commissioners as though the company under the provisions of the Income Tax Acts had required the proceedings relating to the assessment to be had and taken before those Commissioners.

(5) Where a company has already been charged to income tax, by deduction or otherwise, in respect of its life assurance business, to an amount equal to or exceeding the charge under this section, no further charge shall be made under this section, and where a company has already been so charged, but to a less amount, the charge under this section shall be proportionately reduced.

Amendment of s. 5 of the Finance Act, 1914.

16. Section five of the Finance Act, 1914 (which provides for the taxation of income in respect of foreign property), shall not apply to income arising from the sources specified in that section of an assurance company so far as that income arises from the investments of the foreign life assurance fund of the company, but a corresponding reduction shall be made in the relief granted under this Act in respect of expenses of management.

Limitation of income tax relief in respect of insurance premiums.

17.—(1) A person shall not be entitled under section fifty-four of the Income Tax Act, 1853 (as amended by any subsequent enactment), to deduct from profits or gains—

(*a*) In respect of any premium or other payment payable on a policy for securing a capital sum on death (whether in conjunction with any other benefit or not), more than seven per cent. of the actual capital sum assured; and

(*b*) In respect of any premiums or payments to which that section applies payable for securing any other benefits, more than one hundred pounds in all;

and the relief by way of repayment of tax under that section, or by way of deduction for the purposes of supertax under paragraph (*b*) of subsection (2) of section sixty-six of the Finance (1909–10) Act, 1910, shall be correspondingly limited.

(2) In calculating the deduction under this section in respect of any premium or other payment payable on a policy for securing a capital sum on death no account shall be taken of any sum payable on the happening of any other contingency or of the value of any premiums agreed to be returned or of any benefit by way of bonus, or otherwise, which is to be or may be received either before or after death, either by the person paying the premium, or by any other person, and which is not the sum actually assured.

Provision as to estimation of total income.

18. Where an assessment to income tax has become final and conclusive for the purposes of the income tax for any year, the assessment shall also be final and conclusive in estimating total income from all sources for the purposes of super-tax for the following year, or of any exemption, relief, or abatement under the Income Tax Acts, and no allowance or adjustment of liability on the ground of diminution of income or loss shall be taken into account in estimating the total income from all sources for such purposes unless that allowance or

adjustment has been previously made in respect of income tax on an application under the special provisions of the Income Tax Acts relating thereto.

Relief from super-tax in the case of military or naval service, &c.

19. Where it is proved to the satisfaction of the Special Commissioners—

(*a*) that any individual, in connection with the present war, is or has been during any year serving as a member of any of the military or naval forces of the Crown, or in any work abroad of the British Red Cross Society, or the St. John Ambulance Association, or any other body with similar objects; and

(*b*) that the total income of that individual from all sources for that year is or was less than his total income from all sources for the previous year;

the total income of that individual from all sources for the purposes of super-tax for that year shall be taken to be his total income from all sources for that year, estimated in the same manner as, under section sixty-six of the Finance (1909–10) Act, 1910, his total income for the previous year is required to be estimated, and where the tax has been paid repayment shall be made accordingly.

Continuation of relief under 5 Geo. 5. c. 7. s. 13.

20. Section thirteen of the Finance Act, 1914 (Session 2), (which gives relief in respect of diminution of income due to war) shall apply to income tax (including super-tax) for the current income tax year, but with the substitution, as respects postponed super-tax, of the first day of January nineteen hundred and seventeen for the first day of January nineteen hundred and sixteen as the date on which the postponed super-tax is to become payable, and any payment of super-tax for the year beginning the sixth day of April nineteen hundred and fourteen which has been postponed under that section may be further postponed until the first day of January nineteen hundred and seventeen, if the individual from whom the payment is due proves, to the satisfaction of the Special Commissioners, that his actual income from all sources for the current income tax year is or will be less than two-thirds of the income on which he was liable to be charged to super-tax for the year beginning on the sixth day of April nineteen hundred and fourteen.

Extension of relief from income tax in favour of savings banks.

21.—(1) The exemption from income tax chargeable under Schedules C. and D., conferred by section thirty-six of the Finance Act, 1894, on penny savings banks and other banks for savings, shall extend to all income of the savings bank which is applied in the payment or credit of interest to any depositor, and that section shall have effect accordingly:

Provided that, where the interest paid or credited to any depositor in the year for which exemption is claimed exceeds the sum of five pounds, the bank and any branch thereof shall make a return to the surveyor of taxes for the district in which the bank or branch is situate of the name and place of residence

of every depositor to whom any such sum has been paid or credited and of the amount thereof, and unless such returns are duly made the bank shall not be entitled to any relief under this section. Any such return shall be made on or before the first day of May in the year following that in respect of which exemption is claimed.

(2) The provisions of this Act conferring relief from income tax in respect of expenses of management shall apply to savings banks and other banks for savings as they apply to companies whose businesses consist mainly of investments.

Repayment in certain cases of tax on interest paid to banks.

22. Where interest payable in the United Kingdom on an advance from a bank carrying on a bonâ fide banking business in the United Kingdom is paid to the bank, without deduction of income tax, out of profits and gains brought into charge to income tax, the person by whom the interest is paid shall be entitled, on proof of the facts to the satisfaction of the special Commissioners, to repayment of an amount equal to income tax on the amount of the interest.

Remuneration of persons entrusted with payment of dividends.

23. The amount which, in accordance with the provisions of section twenty-six of the Customs and Inland Revenue Act, 1885, (which relates to the payment of income tax on foreign and colonial dividends), a person entrusted with the payment of dividends is entitled to receive as remuneration shall, instead of being the allowance specified in that section, be an allowance calculated by reference to the amount of the dividends paid from which income tax has been deducted, and to be fixed by the Treasury at a rate not being less than thirteen shillings and sixpence for every thousand pounds of that amount.

Part III.

National Debt and Loans.

Suspension of new sinking fund.

24. In the financial year ending the thirty-first day of March nineteen hundred and sixteen, that portion of the permanent annual charge for the national debt which is not required for the annual charges directed by the National Debt and Local Loans Act, 1887, or any other Act, to be paid out of that charge shall not be paid.

50 & 51 Vict. c. 16.

Application of 38 & 39 Vict. c. 45. s. 3.

1 & 5 Geo. 5. c. 60.

25.—(1) Sections three and five of the Sinking Fund Act, 1875 (which relate to the application of the old and new sinking funds), shall apply and shall be deemed to have applied, to any securities issued under the War Loan Act, 1914, or any Act extending or amending that Act or any other enactment authorising money to be borrowed for the purposes of the present war in like manner as they apply to annuities charged on the Consolidated Fund.

(2) Any securities issued under the War Loan Act, 1914, or any Act extending or amending that Act, or any other enactment authorising money to be borrowed for the purposes of the

present war, shall be and shall be deemed always to have been included amongst the securities transfer of which may be accepted by the National Debt Commissioners as consideration for annuities granted by them under the Government Annuities Acts, 1829 to 1882, and amongst the securities in which any money received by the Commissioners as consideration for such annuities may be invested; and the provisions of those Acts relating to such consideration as aforesaid shall apply and shall be deemed always to have applied to such securities in like manner in all respects as they apply to Two and a half Consolidated Stock.

Extension of s. 14 of the Finance Act, 1914 (Session 2).

26. Subsection (2) of section fourteen of the Finance Act, 1914 (Session 2), (which relates to subscriptions to loans by members of the House of Commons) shall apply, and shall be deemed to have applied, to subscriptions or contributions to any Treasury bills issued during the continuance of the present war or a period of twelve months thereafter.

PART IV.

MISCELLANEOUS.

Amendment as to priority of charge for currency notes. 4 & 5 Geo. 5. c. 14.

27. The amount of any currency notes issued under the Currency and Bank Notes Act, 1914, to any person shall be a floating charge on the assets of that person in priority to all other floating charges, but not in priority to charges which are not floating charges; and, accordingly, section two of that Act shall have effect and be deemed always to have had effect as if the word "floating" were inserted immediately before the word "charges."

PART V.

GENERAL.

Definitions, construction, and short title.

28.—(1) In this Act, unless the context otherwise requires,—

The expression "assurance company" means any persons or bodies of persons, whether corporate or unincorporate, to which the Assurance Companies Act, 1909, applies;

9 Edw. 7. c. 49.

The expression "life assurance business" includes the business of granting annuities;

The expression "annuity fund" means, where an annuity fund is not kept separately from the life assurance fund of an assurance company, such part of the life assurance fund as represents the liability of the company under its annuity contracts as stated in its periodical returns to the Board of Trade under the Assurance Companies Act, 1909;

The expression "foreign life assurance fund" means any fund representing the amount of the liability of an assurance company in respect of its life assurance business with policy-holders and annuitants residing

out of the United Kingdom whose proposals were made to, or whose annuity contracts were granted by, the company at or through a branch or agency outside the United Kingdom, and, where such a fund is not kept separately from the life assurance fund of the company, means such part of the life assurance fund as represents the liability of the company under such policies and annuity contracts; such liability being estimated in the same manner as it is estimated for the purposes of the periodical returns of the company to the Board of Trade under the Assurance Companies Act, 1909;

The expression "Special Commissioners" means the commissioners for the special purposes of the Income Tax Acts;

The expression "Income Tax Acts" means the Income Tax Acts, 1842 to 1853, and any other enactments relating to income tax, and, if the context so requires, includes Part II. of this Act.

(2) Part I. of this Act, so far as it relates to duties of Customs, shall be construed together with the Customs (Consolidation) Act, 1876, and any enactments amending that Act, and so far as it relates to duties of Excise shall be construed together with the Acts which relate to the duties of Excise and the management of those duties. 39 & 40 Vict. c. 36.

Part II. of this Act shall be construed together with the Income Tax Acts.

(3) This Act may be cited as the Finance Act, 1915.

SCHEDULE.

Section 2.

Additional Duties in respect of Immature Spirits.

Part I.

Customs.

	Where the Spirits have been warehoused for a period of Two Years and less than Three Years.	Where the Spirits have not been warehoused, or have been warehoused for a period of less than Two Years.
	s. *d.*	*s.* *d.*
For every gallon computed at proof of spirits of any description except perfumed spirits.	1 0	1 6
For every gallon of perfumed spirits	1 7	2 5
For every gallon of liqueurs, cordials, mixtures, and other preparations entered in such a manner as to indicate that the strength is not to be tested.	1 4	2 0

PART II.

EXCISE.

	Where the Spirits have been warehoused for a period of Two Years and less than Three Years.	Where the Spirits have not been warehoused, or have been warehoused for a period of less than Two Years.
	s. *d.*	*s.* *d.*
For every gallon of spirits computed at proof.	1 0	1 6

And so on in proportion for any less quantity.

PART III.

Where spirit which is permitted to be delivered for home consumption on payment of additional duty has, before the seventeenth day of June nineteen hundred and fifteen, been blended with spirit which is permitted to be so delivered without payment of such duty, no additional duty shall be charged on any part of the blended spirit.

Where spirit which is permitted to be delivered for home consumption on the payment of additional duty at the higher of the two rates specified in Parts I. and II. of this Schedule has before that date been blended with spirit which is permitted to be so delivered on payment of additional duty at the lower of those two rates, the additional duty shall be charged on the whole of the blended spirit at the lower of those two rates.

CHAPTER 63.

An Act to continue various Expiring Laws.

[29th July 1915.]

WHEREAS the Acts mentioned in the schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire, as respects the Acts mentioned in Part I. of that schedule, on the thirty-first day of December nineteen hundred and fifteen, and, as respects the Acts mentioned in Part II. of that schedule, on the thirty-first day of March nineteen hundred and sixteen:

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending or affecting the same:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of Acts in schedule.

1.—(1) The Acts mentioned in Part I. of the schedule to this Act shall, to the extent specified in column three of that schedule, be continued until the thirty-first day of December

nineteen hundred and sixteen, and shall then expire, unless further continued.

(2) The Acts mentioned in Part II. of the schedule to this Act shall, to the extent specified in column three of that schedule, be continued until the thirty-first day of March nineteen hundred and seventeen, and shall then expire, unless further continued.

(3) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner, whether they are mentioned in the schedule to this Act or not.

2. This Act may be cited as the Expiring Laws Continuance Act, 1915. Short title.

SCHEDULE.

Section 1.

Part I.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(1) 3 & 4 Vict. c. 89.	The Poor Rate Exemption Act, 1840.	The whole Act.	——
(2) 3 & 4 Vict. c. 91.	The Textile Manufactures (Ireland) Act, 1840.	The whole Act -	5 & 6 Vict. c. 68. 30 & 31 Vict. c. 60.
(3) 4 & 5 Vict. c. 30.	The Ordnance Survey Act, 1841.	The whole Act -	33 Vict. c. 13. 47 & 48 Vict. c. 43. 52 & 53 Vict. c. 30.
(4) 10 & 11 Vict. c. 98.	The Ecclesiastical Jurisdiction Act, 1847.	As to the provisions continued by 21 & 22 Vict. c. 50.	——
(5) 14 & 15 Vict. c. 104.	The Episcopal and Capitular Estates Act, 1851.	The whole Act -	17 & 18 Vict. c. 116. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124. 31 & 32 Vict. c. 114. s. 10.
(6) 17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	26 & 27 Vict. c. 29. s. 6. 31 & 32 Vict. c. 125. 46 & 47 Vict. c. 51.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(7) 26 & 27 Vict. c. 105.	The Promissory Notes Act, 1863.	The whole Act -	45 & 46 Vict. c. 61
(8) 27 & 28 Vict. c. 20.	The Promissory Notes (Ireland) Act, 1864.	The whole Act.	——
(9) 28 & 29 Vict. c. 46.	The Militia (Ballot Suspension) Act, 1865.	The whole Act -	45 & 46 Vict. c. 49.
(10) 28 & 29 Vict. c. 83.	The Locomotives Act, 1865	The whole Act -	41 & 42 Vict. c. 58. 41 & 42 Vict. c. 77. (Part II.) 59 & 60 Vict. c. 36. 61 & 62 Vict. c. 29. 1 & 2 Geo. 5. c. 45.
(11) 31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	42 & 43 Vict. c. 75. 46 & 47 Vict. c. 51.
(12) 32 & 33 Vict. c. 21.	The Corrupt Practices Commission Expenses Act, 1869.	The whole Act -	34 & 35 Vict. c. 61.
(13) 32 & 33 Vict. c. 56.	The Endowed Schools Act, 1869.	As to the powers of making schemes.	36 & 37 Vict. c. 87. 37 & 38 Vict. c. 87. 52 & 53 Vict. c. 40. 8 Edw. 7. c. 39.
(14) 33 & 34 Vict. c. 112.	The Glebe Loan (Ireland) Act, 1870.	The whole Act -	34 & 35 Vict. c. 100. 49 Vict. c. 6.
(15) 34 & 35 Vict. c. 87.	The Sunday Observation Prosecution Act, 1871.	The whole Act.	——
(16) 35 & 36 Vict. c. 33.	The Ballot Act, 1872 -	The whole Act -	45 & 46 Vict. c. 50. (Municipal Elections).
(17) 38 & 39 Vict. c. 84.	The Parliamentary Elections (Returning Officers) Act, 1875.	The whole Act -	46 & 47 Vict. c. 51. s. 32. 48 & 49 Vict. c. 62. 49 & 50 Vict. c. 57.
(18) 39 & 40 Vict. c. 21.	The Jurors Qualification (Ireland) Act, 1876.	The whole Act -	57 & 58 Vict. c. 49. 61 & 62 Vict. c. 37. s. 69.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(19) 41 & 42 Vict. c. 41.	The Parliamentary Elections Returning Officers Expenses (Scotland) Act, 1878.	The whole Act -	48 & 49 Vict. c. 62. 49 & 50 Vict. c. 58. 54 & 55 Vict. c. 49.
(20) 43 Vict. c. 18.	The Parliamentary Elections and Corrupt Practices Act, 1880.	The whole Act -	46 & 47 Vict. c. 51.
(21) 43 & 44 Vict. c. 42.	The Employers' Liability Act, 1880.	The whole Act -	6 Edw. 7. c. 58. s. 14.
(22) 46 & 47 Vict. c. 51.	The Corrupt and Illegal Practices Prevention Act, 1883.	The whole Act -	58 & 59 Vict. c. 40.
(23) 47 & 48 Vict. c. 70.	The Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	The whole Act -	56 & 57 Vict. c. 73. 1 & 2 Geo. 5. c. 7.
(24) 51 & 52 Vict. c. 55.	The Sand Grouse Protection Act, 1888.	The whole Act.	——
(25) 52 & 53 Vict. c. 40.	The Welsh Intermediate Education Act, 1889.	As to the powers of the joint education committee and the suspension of the powers of the Charity Commissioners.	53 & 54 Vict. c. 60.
(26) 58 & 59 Vict. c. 21.	The Seal Fisheries (North Pacific) Act, 1895.	The whole Act.	——
(27) 59 Vict. c. 1. -	The Local Government (Elections) Act, 1896.	The whole Act.	——
(28) 61 & 62 Vict. c. 49.	The Vaccination Act, 1898	The whole Act -	7 Edw. 7. c. 31.
(29) 2 Edw. 7. c. 18.	The Licensing (Ireland) Act, 1902.	The whole Act.	——
(30) 3 Edw. 7. c. 36.	The Motor Car Act, 1903	The whole Act.	——
(31) 4 Edw. 7. c. 24.	The Wireless Telegraphy Act, 1904.	The whole Act.	——

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(32) 5 Edw. 7. c. 18.	The Unemployed Workmen Act, 1905.	The whole Act.	——
(33) 7 Edw. 7. c. 55.	The London Cab and Stage Carriage Act, 1907.	As to the abolition of the privileged cab system, s. 2.	——
(34) 1 & 2 Geo. 5. c. 55.	The National Insurance Act, 1911.	Section forty-two; and so far as it relates to the powers of the Insurance Commissioners to make orders affecting section forty-two, section seventy-eight.	3 & 4 Geo. 5. c. 37.
(35) 2 & 3 Geo. 5. c. 2.	The Coal Mines (Minimum Wage) Act, 1912.	The whole Act.	——

PART II.

(36) 59 & 60 Vict. c. 16.	The Agricultural Rates Act, 1896.	The whole Act.	——
(37) 59 & 60 Vict. c. 37.	The Agricultural Rates, Congested Districts, and Burgh Land Tax Relief (Scotland) Act, 1896.	The whole Act.	——

CHAPTER 64.

An Act to extend the Notification of Births Act, 1907, to Areas in which it has not been adopted, and to make further provision in connection therewith for the Care of Mothers and Young Children. [29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Extension of Notification of Births Act, 1907. 7 Edw. 7. c. 40.

1.—(1) The Notification of Births Act, 1907 (in this Act referred to as the principal Act), shall, on and after the first day of September, nineteen hundred and fifteen, extend to and take effect in every area in which it is not already in force, and in the case of an area for which it could be adopted either by the council of an urban or rural district, or by the county council, shall take effect as if it had been adopted by the council of the district.

(2) Where by virtue of this Act the principal Act comes into force in any county district in which it is not already in force, the medical officer of health shall send duplicates of any notices of birth received by him under that Act to the county medical officer of health as soon as may be after they are received.

(3) Where by virtue of this Act the principal Act comes into force in any area in which it is not already in force, it shall be the duty of the local authority to bring the provisions of the principal Act to the attention of all medical practitioners and midwives practising in the area.

Arrangements for attending to mothers and young children. 54 & 55 Vict. c. 76.

2.—(1) Any local authority within the meaning of the principal Act (whether a sanitary authority or not) may, for the purpose of the care of expectant mothers, nursing mothers, and young children, exercise any powers which a sanitary authority has under the Public Health Acts, 1875 to 1907, or the Public Health (London) Act, 1891, as the case requires.

(2) Any expenses incurred in the exercise of these powers shall be defrayed in the same manner as expenses of the local authority are defrayed under the principal Act.

Any such powers may be exercised in such manner as the authority direct by a committee or committees which shall include women and may comprise, if it is thought fit, persons who are not members of the authority. Any such committee may be empowered by the authority by which it is appointed to incur expenses up to a limit for the time being fixed by the authority, and, if so empowered, shall report any expenditure by them to the authority in such manner and at such times as the authority may direct. A committee appointed for the purposes of this section shall hold office for such period not exceeding three years as the authority by which it is appointed may determine.

Application to Scotland and Ireland.

3.—(1) In the application of this Act to Scotland—

(*a*) subsection (2) of section one shall not apply: Provided that the Local Government Board for Scotland may, if they think fit, by order, authorise any two or more local authorities to act together for the purposes of the principal Act and this Act, and

may prescribe the mode of such joint action and of defraying the costs thereof;

(*b*) the following subsection shall be substituted for subsection (1) of section two:—

(1) Any local authority within the meaning of the principal Act may make such arrangements as they think fit, and as may be sanctioned by the Local Government Board for Scotland, for attending to the health of expectant mothers and nursing mothers, and of children under five years of age within the meaning of section seven of the Education (Scotland) Act, 1908;

8 Edw. 7. c. 63.

(2) In the application of this Act to Ireland—

(*a*) subsection (2) of section one shall not apply;

(*b*) the following subsection shall be substituted for subsection (1) of section two:—

(1) Any local authority within the meaning of the principal Act may make such arrangements as they think fit, and as may be sanctioned by the Local Government Board for Ireland, for attending to the health of expectant mothers and nursing mothers, and of children under five years of age;

(*c*) the provisions for the extension of the principal Act shall not apply as respects any rural district; and

(*d*) the expression "medical officer of health" means, for the purposes both of this Act and the principal Act, as respects any district for which there is a medical superintendent officer of health that officer, and elsewhere the medical officer of health of the dispensary district.

Short title and repeal.

4.—(1) This Act may be cited as the Notification of Births (Extension) Act, 1915, and the principal Act and this Act may be cited together as the Notification of Births Acts, 1907 and 1915.

(2) The enactments mentioned in the Schedule to this Act are hereby repealed (except as respects rural districts in Ireland) to the extent specified in the third column of that Schedule.

SCHEDULE.

Section 4.

Session and Chapter.	Title.	Extent of Repeal.
7 Edw. 7. c. 40.	The Notification of Births Act, 1907.	In section one, the words "in which "this Act is adopted by that "authority in accordance with "the provisions of this Act," in subsection (1) the words "in an "area in which this Act is "adopted," and in subsection (4) the words "whose sub-district or "any part thereof is situate "within any area in which this "Act is adopted." Subsections (1) (2) and (3) of section two, and in subsection (4) the words "who may adopt the "Act either for their whole "county or for any county dis-"trict therein." Section three. The Schedule.

CHAPTER 65.

An Act to make provision for securing the Maintenance of a sufficient Stock of Cattle, Sheep, and Swine, and for purposes connected therewith. [29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Power to make orders for the maintenance of stock.

1.—(1) The Board of Agriculture and Fisheries may, for the purpose of maintaining a sufficient stock of animals to which this Act applies, by order applicable to England and Wales or any part thereof—

(*a*) prohibit or restrict the slaughter of animals except male lambs ;

(*b*) prohibit or restrict the sale or exposure for sale of meat of immature animals which has not been imported ;

(*c*) authorise any local authority specified in the order to execute and enforce within their district all or any of the provisions of the order, and provide for the manner in which the expenses incurred by the authority are to be defrayed ;

(*d*) authorise any officer of the Board or of a local authority to enter any slaughter-house or other premises on which animals are slaughtered for human food and examine any animals or carcases therein;

(*e*) prohibit or restrict the movement of animals out of any area in which the slaughter of such animals is prohibited or restricted;

(*f*) authorise or require the marking of animals for the purposes of an order under this Act;

(*g*) revoke, extend, or vary any order so made.

(2) The animals to which this Act applies are cattle, sheep, and swine.

Offences.

2. If any person acts in contravention of or fails to comply with any of the provisions of an order made under this Act, or with a view to evade the operation of any such order marks or alters or obliterates a mark on any animal, or obstructs or impedes any officer in the execution of his powers or duties under any such order, he shall, on conviction under the Summary Jurisdiction Acts, be liable to a fine not exceeding twenty pounds, or if the offence is an offence committed with respect to more than four animals to a fine not exceeding five pounds for each animal.

Application to Scotland and Ireland.

3.—(1) This Act shall apply to Scotland with the substitution of references to Scotland and to the Board of Agriculture for Scotland for references to England and Wales and to the Board of Agriculture and Fisheries.

(2) This Act shall apply to Ireland with the substitution of references to Ireland and to the Department of Agriculture and Technical Instruction for Ireland for the references to England and Wales and to the Board of Agriculture and Fisheries.

Short title, repeal, and duration.

4 & 5 Geo. 5. c. 75.

4.—(1) This Act may be cited as the Maintenance of Live Stock Act, 1915.

(2) The Slaughter of Animals Act, 1914, is hereby repealed, but nothing in this repeal shall affect any order made under that Act, and any such order shall continue in force as if made under this Act.

(3) This Act shall remain in force during the continuance of the present war and for a period of twelve months thereafter and no longer, but the expiration of this Act and of any order then in force shall not prejudice or affect the institution or prosecution of any proceedings for any offence committed before such expiration.

CHAPTER 66.

An Act to consolidate certain Enactments relating to Milk and Dairies. [29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Milk and Dairies Orders.

1.—(1) The Local Government Board may make such general or special orders (hereinafter referred to as Milk and Dairies Orders) as they think fit for all or any of the following purposes:—

(*a*) for the registration with local authorities of all persons carrying on the trade of dairymen;

(*b*) for the registration with local authorities of all dairies;

(*c*) for the inspection of cattle in dairies;

(*d*) for the inspection by persons authorised by the local authority for the locality in which the dairy is situate of dairies and persons in or about dairies who have access to the milk or to the churns or other milk receptacles;

(*e*) for prescribing and regulating the lighting, ventilation, cleansing, drainage, and water supply of dairies in the occupation of persons following the trade of dairymen;

(*f*) for securing the cleanliness of milk stores, milk shops, and milk vessels used for containing milk for sale by such persons;

(*g*) for prescribing the precautions to be taken for protecting milk against infection or contamination;

(*h*) for preventing danger to health from the sale for human consumption, or from the use in the manufacture of products for human consumption, of infected, contaminated, or dirty milk;

(*i*) for regulating the cooling, conveyance, and distribution of milk intended for sale for human consumption, or for use in the manufacture of products for human consumption;

(*j*) as to the labelling, marking, or identification and the sealing or closing of churns, vessels, and other receptacles of milk for sale for human consumption or used for the conveyance of such milk;

(*k*) for prohibiting the addition of colouring matter; and for prohibiting or regulating the addition of skimmed or

separated milk or water or any other substance to milk intended for sale for human consumption, or the abstraction therefrom of butter-fat or any other constituent; and for prohibiting or regulating the sale for human consumption of milk to which such an addition or from which such abstraction has been made, or which has been otherwise artificially treated;

(*l*) for authorising the use, in connexion with the sale of milk, of the designation "certified milk," for prescribing the conditions subject to which milk may be sold under such designation, and for prohibiting the use of such designation in connexion with the sale of milk in respect of which the prescribed conditions are not complied with;

(*m*) for authorising a local authority to make regulations for the purposes aforesaid, or any of them, subject to such conditions (if any) as the Local Government Board prescribe.

(2) A Milk and Dairies Order with respect to the inspection of cattle in a dairy may authorise the person making the inspection to require any cow to be milked in his presence and to take samples of the milk, and to require that the milk from any particular teat shall be kept separate and to take separate samples thereof.

(3) If any person is guilty of a contravention of, or non-compliance with, the provisions of any Milk and Dairies Order, he shall be guilty of an offence against this Act.

(4) Milk and Dairies Orders shall be made by the Local Government Board with the concurrence of the Board of Agriculture and Fisheries, and shall have effect as if enacted in this Act.

(5) All Milk and Dairies Orders shall be laid before each House of Parliament as soon as may be after they are made; and if an Address is presented to His Majesty by either House of Parliament within the next subsequent forty days on which that House has sat next after the order is laid before it praying that the order may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder, or to the making of a new order. If the session of Parliament ends before such forty days as aforesaid have expired, the order shall be laid before each House of Parliament at the commencement of the next session as if it had not previously been laid.

56 & 57 Vict. c. 66.

(6) The Rules Publication Act, 1893, shall apply to any such order as if it was a statutory rule within the meaning of section one of that Act.

Powers of enforcing Milk and Dairies Orders.

2. A local authority and their officers for the purpose of enforcing a Milk and Dairies Order and any regulations made

thereunder shall have the same right to be admitted to any premises as a local authority within the meaning of the Public Health Act, 1875, and their officers have under section one hundred and two of that Act for the purpose of examining as to the existence of any nuisance thereon, and if such admission is refused, the like proceedings may be taken, with the like incidents and consequences, as to orders, payment, penalty, costs, expenses and otherwise, as in the case of a refusal to admit to premises for any of the purposes of the said section one hundred and two : 38 & 39 Vict. c. 55.

Provided that nothing in this section shall authorise any person, except with the permission of the local authority under the Diseases of Animals Acts, 1894 to 1914, to enter any cowshed or other place in which an animal affected with any disease to which those Acts apply is kept and which is situated in a place declared under those Acts to be infected with such disease.

Power to stop supply of milk likely to cause tuberculosis.

3.—(1) If the medical officer of health of a county or county borough is of opinion that tuberculosis is caused, or is likely to be caused, by the consumption of the milk supplied from any dairy in which cows are kept within such county or county borough, the provisions of the First Schedule to this Act shall have effect with respect to the reports to be made and the steps to be taken with a view to stopping the supply of milk from the dairy, and, with a view to stopping such supply, orders may be made in accordance with that Schedule, subject to such right of appeal and the payment of compensation in such cases as are provided therein.

(2) Where an order stopping the supply of milk is made under the said schedule a dairyman shall not be liable for an action for breach of contract if the breach is due to such order.

(3) If any dairyman, whilst any order made in accordance with the said schedule prohibiting the supply or use of milk is in force, supplies or uses any milk in contravention of this order he shall be guilty of an offence against this Act.

(4) The Local Government Board may by order direct that the council of any non-county borough within the county, which is a local authority for the purposes of the Diseases of Animals Acts, 1894 to 1914, shall exercise and perform within the borough the powers and duties of the county council under this and the next succeeding section, and where such an order has been made with respect to any non-county borough this and the next succeeding section shall apply as if the borough were a county borough.

Obligation to inspect dairies in certain cases.

4.—(1) If the medical officer of health of any local authority has reason to suspect that tuberculosis is caused, or is likely to be caused, by the consumption of any milk which is being sold or exposed or kept for sale within the area of the local

authority, he shall endeavour to ascertain the source or sources of supply, and on ascertaining the facts shall forthwith give notice of them to the medical officer of health of the county or county borough in which the cows from which the milk is obtained are kept, whether the dairy where they are kept is within or without the area of the local authority, unless the local authority are themselves the council of that county or county borough.

(2) On the receipt of such notice it shall be the duty of the medical officer of health of the county or county borough to cause the cattle in the dairy to be inspected, and to make such other investigations as may be necessary.

(3) Sufficient notice of the time of the inspection shall be given to the local authority whose medical officer of health gave the notice, and to the dairyman to allow that officer or a veterinary inspector or other veterinary surgeon appointed by the authority, and, if desired, another veterinary surgeon appointed by the dairyman being present at the inspection if either party so desire.

(4) The council of the county or county borough on whose medical officer of health the notice is served shall send to the medical officer of health of the local authority who gave the notice copies of any reports which may have been made by the medical officer of health making the inspection, and of any veterinary or bacteriological or other reports which may have been furnished to him, and shall give him information as to whether any action has been taken upon those reports and as to the nature of that action.

Prohibition of sale of tuberculous milk.

5. If a person—

(*a*) Sells, or offers or exposes for sale, or suffers to be sold or offered or exposed for sale, for human consumption or for use in the manufacture of products for human consumption; or

(*b*) Uses or suffers to be used in the manufacture of products for human consumption;

the milk of any cow which has given tuberculous milk, or is suffering from emaciation due to tuberculosis, or from tuberculosis of the udder, or from acute inflammation of the udder, or from any of the diseases specified in the Second Schedule to this Act, he shall be guilty of an offence against this Act, if it is proved that he had previously received notice from an officer of a local authority, or that he otherwise knew, or by the exercise of ordinary care could have ascertained, that the cow had given tuberculous milk, or was suffering from any such disease.

Provisions as to selling milk in a public place.

6. Every person who, himself or by his servant, in any highway or place of public resort sells milk from a vehicle or

from a can or other receptacle shall have conspicuously inscribed on the vehicle or receptacle his name and address, and in default shall be liable on summary conviction to a fine not exceeding two pounds.

Provisions as to condensed, separated, or skimmed milk.

7. Every tin or other receptacle containing condensed, separated, or skimmed milk must bear a label, clearly visible to the purchaser, on which the words "Machine-skimmed Milk," or "Skimmed Milk," as the case may require, are printed in large and legible type, and if any person sells or exposes or offers for sale condensed separated or skimmed milk in contravention of this section he shall be liable on summary conviction to a fine not exceeding ten pounds.

Power to take samples of milk.

8.—(1) It shall be lawful for an inspector of the Local Government Board, or the medical officer of health of a local authority, or any person provided with and, if required, exhibiting an authority in writing from such an inspector or from the local authority or medical officer of health, to take for examination samples of milk at any time before it is delivered to the consumer:

Provided that the powers of a medical officer of health and of a person authorised by him or by the local authority under this section shall, except so far as the Local Government Board may otherwise direct, be exerciseable only within the area of the local authority.

(2) The result of an analysis or bacteriological or other examination of a sample of milk taken under this Act shall not be admissible as evidence in proceedings under this Act, or in proceedings under the sale of Food and Drugs Acts, 1875 to 1907, unless the provisions of the last-mentioned Acts which relate to the division of samples into parts are complied with, but if those provisions have been complied with, the result of the analysis shall be available for proceedings under the said Acts (as if it had been procured in accordance with those Acts) as well as for proceedings under this Act:

Provided that no proceedings shall be taken against any person unless at the time the sample was taken the milk was in his custody or control or was contained in a churn or other receptacle which had been sealed or closed in accordance with a Milk and Dairies Order.

(3) The medical officer of health or any other officer authorised for the purpose by a local authority within the area of which milk from any dairy situate outside that area is being sold or exposed or kept for sale, may by notice in writing require the medical officer of health or other authorised officer of any other local authority, being an authority for the purposes of the Sale of Food and Drugs Acts, 1875 to 1907, to take samples of

the milk at that dairy or in the course of transit from that dairy to the area of the first-mentioned local authority.

(4) Upon receipt of such notice it shall, subject to the provisions of subsection (1) of this section, be the duty of the medical officer of health or other authorised officer of the other authority as soon as practicable to take samples and to forward, for analysis or bacteriological examination, to the officer who gave the notice a part of any sample so taken, and in taking a sample the officer shall, if so required by the notice, comply with the provisions of the Sale of Food and Drugs Acts, 1875 to 1907, which relate to the division of samples into parts.

The authority requiring the samples to be taken shall be liable to defray any reasonable expenses incurred, the amount whereof shall in default of agreement be settled by the Local Government Board.

For the purpose of the Sale of Food and Drugs Acts, 1875 to 1907, the sample shall be deemed to have been taken within the area of the officer who gave the notice, and proceedings under those Acts may be taken either before a court having jurisdiction within the district for which that officer acts or before a court having jurisdiction in the place where the sample was actually taken.

(5) In any proceedings under the Sale of Food and Drugs Acts, 1875 to 1907, or this Act, the production of a certificate of the officer who took the sample under this section that the provisions of this section, as to the manner in which samples are to be dealt with, were complied with shall be sufficient evidence of compliance, unless the defendant requires that officer to be called as a witness.

(6) In the exercise at any railway station or upon any railway premises of the powers conferred upon him by this section, such inspector, medical officer of health, or other person so authorised as aforesaid shall conform to such reasonable requirements of the railway company owning or using such station or premises as are necessary to prevent the working of the traffic thereat being obstructed or interfered with.

Amendment of Sale of Food and Drugs Acts.

9.—(1) The provisions of the Sale of Food and Drugs Acts, 1875 to 1907, in reference to the taking of samples of milk, and any proceedings in connexion therewith, shall be amended in accordance with the provisions contained in the Third Schedule to this Act.

(2) So much of any contract, made after the thirteenth day of August nineteen hundred and fourteen, whether made before or after the passing of this Act, as requires a purveyor of milk on a sample of his milk being taken under the Sale of Food and Drugs Acts, 1875 to 1907, to send to the person from whom he procured the milk any part of such sample or to give such person notice that a sample has been so taken, shall be null and void.

Appointment of veterinary inspectors.

10.—(1) A local authority may, and when required by the Local Government Board shall, appoint or combine with another local authority in appointing one or more veterinary inspectors or employ for the purposes of this Act and the Milk and Dairies Orders any veterinary inspector appointed under the Diseases of Animals Act, 1894, and any local authority may, and when required by the Local Government Board shall, provide or arrange for the provision of such facilities for bacteriological or other examinations of milk, as may be approved by the Board. 57 & 58 Vict. c. 57.

(2) Any order requiring a combination of local authorities for the purposes of this section may provide for all matters incidental to such combination, and in particular how the expenses incurred are to be apportioned.

Regulations as to imported milk. 7 Edw. 7. c. 32.

11. The Local Government Board shall make regulations under the Public Health (Regulations as to Food) Act, 1907, for the prevention of danger arising to public health from the importation of milk and milk products intended for sale for human consumption or for use in the manufacture of products for human consumption.

Establishment of milk depôts.

12.—(1) The sanitary authority of any district may, with the approval of the Local Government Board, establish and thereafter maintain depôts for the sale at not less than cost price of milk specially prepared for consumption by infants under two years of age, and purchase and prepare milk and provide such laboratories, plant, and other things, and exercise and perform such other powers and duties, as may be necessary for the purposes of this section.

(2) The Local Government Board may attach such conditions to their approval as they may deem necessary.

Enforcement of duties of local authorities.

13.—(1) If a local authority fail to fulfil any of their duties under this Act, or under any Milk and Dairies Order, the Local Government Board may after holding a local inquiry make such order as they think necessary or proper for the purpose of compelling the authority to fulfil their duties, and any such order may be enforced by mandamus.

(2) Where the authority in default is a district council, the Local Government Board may determine that all or any of the powers of the council under this Act or the Milk and Dairies Orders be transferred to the county council, and those powers shall be transferred accordingly, and section sixty-three of the Local Government Act, 1894, shall apply as if the powers had been transferred under that Act. 56 & 57 Vict. c. 73.

Penalty for obstruction.

14. If any person obstructs any inspector or other officer of the Local Government Board, or any medical officer of health, or any veterinary inspector or surgeon, or other officer of or person employed by a local authority, in the execution of his powers under this Act or any Milk and Dairies Order, or fails to give any such officer all reasonable assistance in his power,

or to furnish him with any information he may reasonably require, he shall be guilty of an offence against this Act.

Supplemental provisions.

15.—(1) The Local Government Board may by order apply for the purposes of this Act the provisions of any public general Act relating to the holding of local inquiries by the Local Government Board, and the expenses of such inquiries, and the powers of the persons holding any such inquiry, and the manner in which notices may be served.

(2) A local authority may delegate to a committee any of their powers or duties (other than the power of raising rates) under the provisions of this Act or of any Milk and Dairies Order, and in such case anything required or authorised by those provisions to be done to or by the local authority may be done to or by the committee to which such powers and duties have been so delegated.

(3) For the purpose of the exercise and performance of their powers and duties by sanitary authorities under this Act and the Milk and Dairies Orders the purposes of this Act and those Orders shall be deemed to be included amongst the purposes of the Public Health Act, 1875, or the Public Health (London) Act, 1891, as the case may require.

54 & 55 Vict. c. 76.

(4) Any inspection of cattle made in pursuance of this Act or any Milk and Dairies Order shall be carried out by a veterinary inspector or other properly qualified veterinary surgeon.

Compensation to existing officers or servants.

4 & 5 Geo. 5. 49.

16. If in consequence of the passing of the Milk and Dairies Act, 1914, or this Act, or of anything done in pursuance or in consequence thereof any officer or servant of any local authority who held office at the passing of this Act suffers any direct pecuniary loss by abolition of office, or by diminution or loss of fees or salary, he shall be entitled to have compensation paid to him for such pecuniary loss by the local authority, and such compensation shall be determined in accordance with and subject to the conditions prescribed by section one hundred and twenty of the Local Government Act, 1888, and that section with the necessary adaptations shall apply accordingly.

51 & 52 Vict. c. 41.

Expenses of local authorities.

17. The expenses of local authorities under this Act and the Milk and Dairies Orders shall be defrayed—

(*a*) in the case of a county council, out of the county fund, as expenses for general county purposes, or, if an order of the Local Government Board so directs as respects any such expenses as expenses for special county purposes charged on such part of the county as may be provided by the order;

(*b*) in the case of the common council, out of the general rate;

(*c*) in the case of the council of a metropolitan borough, as part of the expenses incurred by the council in the execution of the Public Health (London) Act, 1891;

(*d*) in the case of the council of a municipal borough or urban or rural district, as part of their general expenses incurred in the execution of the Public Health Acts.

Provisions as to offences.

18.—(1) If any person commits an offence against this Act he shall be liable on summary conviction to a fine not exceeding in the case of a first offence five pounds and in the case of a second or subsequent offence fifty pounds, and if the offence is a continuing offence to a further fine not exceeding forty shillings for each day during which the offence continues.

(2) Proceedings against a dairyman for failure to comply with an order made under the First Schedule to this Act, requiring the dairyman not to supply milk from a dairy, may be taken before a court of summary jurisdiction, either in the place where the offence was committed or in the place where the dairy is situated, and shall be taken only by the authority by which the order was made.

(3) Where the occupier of a dairy is charged with an offence against this Act, he shall be entitled upon information duly laid by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge; and, if, after the commission of the offence has been proved, the occupier of the dairy proves to the satisfaction of the court—

(*a*) that he has used due diligence to enforce the execution of this Act and the Milk and Dairies Orders; and

(*b*) that the said other person had committed the offence in question without his knowledge, consent or connivance;

that other person shall be summarily convicted of the offence, and the occupier shall be exempt from any fine, and the person so convicted shall, in the discretion of the court, be also liable to pay any costs incidental to the proceedings.

(4) When it is made to appear to the satisfaction of the authority by or on whose behalf proceedings are about to be taken—

(*a*) that the actual occupier of the dairy has used all due diligence to enforce the execution of this Act and the Milk and Dairies Orders; and

(*b*) by what person the offence has been committed; and

(*c*) that it has been committed without the knowledge, consent, or connivance of the occupier of the dairy and in contravention of his orders;

proceedings shall be taken against the person who is believed to be the actual offender without first proceeding against the occupier of the dairy.

(5) The duty of taking proceedings for enforcing the provisions of section five of this Act shall rest on the county council or county borough council, without prejudice however to the power of a sanitary authority in a county to take such proceedings, and the duty of taking proceedings for enforcing the provisions of any Milk and Dairies Order shall rest on the local authority prescribed in the order, and the clerk of the local authority, or other officer whom the local authority may appoint, shall have power, if so authorised by the local authority, to institute and carry on such proceedings :

Provided that in cases where the Local Government Board make an Order under section three of this Act directing that the council of a non-county borough shall exercise and perform within the borough the powers and duties of a county council under sections three and four of this Act, the duty of taking proceedings for enforcing the provisions of section five of this Act in such borough shall rest on the council thereof and not on the county council.

(6) Notwithstanding anything contained in any Act to the contrary, all fines imposed in any proceedings instituted by or on behalf of a local authority in the exercise of their powers and duties under this Act shall be paid to the authority and carried to the credit of the fund out of which the expenses incurred by the authority under this Act are defrayed.

(7) The foregoing provisions of this section shall not apply as respects offences under section six or seven of this Act, but in any prosecution of any such offence the summons shall state particulars of the offence or offences alleged, and also the name of the prosecutor, and shall not be made returnable in less than fourteen days from the day on which it is served, and there must be served therewith a copy of any analyst's certificate obtained on behalf of the prosecutor.

Interpretation.

19.—(1) In this Act, unless the context otherwise requires,—

The expression "dairy" includes any farm, cowshed, milk store, milk shop, or other place from which milk is supplied on, or for, sale or in which milk is kept or used for purposes of sale or manufacture into butter, cheese, dried milk or condensed milk for sale, and, in the case of a purveyor of milk who does not occupy any premises for the sale of milk, includes the place where he keeps the vessels used by him for the sale of milk, but does not include a shop from which milk is not supplied otherwise than in the properly closed and unopened receptacles in which it was delivered to the shop, or a shop or other place in which milk is sold for consumption on the premises only ;

The expression "milk" includes cream, skimmed milk, and separated milk ;

The expression "dairyman" includes any occupier of a dairy, any cowkeeper, or any purveyor of milk ;

The expression "purveyor of milk" includes a seller of milk, whether wholesale or by retail;

The expression "medical officer of health" includes any duly qualified medical practitioner authorised by the council to act on behalf of the medical officer of health;

The expression "veterinary inspector" means an inspector being a member of the Royal College of Veterinary Surgeons, or having such other veterinary qualifications as may be approved by the Board of Agriculture and Fisheries;

The expression "sanitary authority" as respects London means the sanitary authority for the purposes of the Public Health (London) Act, 1891, and elsewhere the council of a borough or of an urban or rural district, and the expression "sanitary district" means the district of such authority;

The expression "common council" means the mayor, aldermen, and commons of the City of London in common council assembled.

(2) Where milk is sold or exposed or kept for sale it shall be presumed to be sold or exposed or kept for sale for human consumption or for use in the manufacture of products for human consumption, unless the contrary is proved.

(3) Where milk is kept in any dairy, or in the custody or possession of any dairyman, it shall be presumed to be kept for purposes of sale, or manufacture for sale, unless the contrary is proved.

(4) The expression "local authority" in this Act shall include sanitary authorities and county councils, but with respect to the provisions of any Milk and Dairies Order, the order may prescribe by what local authority or authorities the several provisions thereof are to be enforced and executed, and any such order may provide for the giving of assistance and information by county councils to sanitary authorities and by sanitary authorities to county councils for the purpose of their respective duties under this Act or under any Milk and Dairies Order.

(5) The Scilly Islands shall be deemed to be a county and the council of those Islands the council of a county, and any expenses incurred by that council under this Act or the Milk and Dairies Orders shall be treated as general expenses of the council.

Application to London. 7 Edw. 7. c. 53.

20.—(1) Section fifty-three of the Public Health Acts Amendment Act, 1907 (which confers powers to require dairymen to furnish lists of sources of supply), shall apply to London as if it were herein re-enacted with the substitution of references to sanitary authorities and districts of sanitary authorities for references to local authorities and districts of local authorities, and any penalties imposed by the said section as so applied shall be recoverable summarily.

(2) Any provisions of the Public Health Act, 1875, applied by this Act shall, for the purposes for which they are so applied, extend to London, subject to necessary adaptations.

(3) A Milk and Dairies Order affecting London shall provide for the exercise and performance by sanitary authorities in London of all powers and duties under the order which would have been imposed or conferred on sanitary authorities if this Act had not been passed and the order had been made under section twenty-eight of the Public Health (London) Act, 1891, as amended by sections five and six of the London Government Act, 1899, except that the order may provide for the exercise and performance by the London County Council of powers and duties relating to the inspection of cattle in dairies.

62 & 63 Vict. c. 14.

(4) Nothing in this Act, or in any Milk and Dairies Order, shall affect the powers with respect to the registration of dairymen and purveyors of milk within their own area conferred on sanitary authorities in London by section five of the London County Council (General Powers) Act, 1908.

8 Edw. 7. c. cvii.

(5) The borrowing of moneys by any metropolitan borough council for the purposes of this Act shall be subject in all respects to the provisions of sections one hundred and eighty-three to one hundred and eighty-nine of the Metropolis Management Act, 1855, as amended by any subsequent Act.

18 & 19 Vict. c. 120.

(6) Where the authority in default is a metropolitan borough council the provisions of section one hundred and one of the Public Health (London) Act, 1891, shall apply in all respects as if such default had been made under the said Act.

Short title, commencement, extent, repeal, and savings.

21.—(1) This Act may be cited as the Milk and Dairies (Consolidation) Act, 1915, and shall come into operation on such date not being later than the expiration of one year after the termination of the present war as the Local Government Board may by order appoint.

(2) This Act shall not extend to Scotland or Ireland.

(3) The enactments specified in the Fourth Schedule to this Act shall, except so far as they relate to Scotland or Ireland, be repealed to the extent mentioned in the third column of that Schedule, and there shall also be repealed, as from the expiration of one year after the commencement of this Act, so much of any local Act as deals with any of the matters dealt with by any of the provisions of this Act:

Provided that nothing in this repeal shall affect any order or regulations made under any enactment mentioned in the said Schedule, but any such order or regulations shall, until altered or revoked, continue in force as if made under this Act.

(4) Nothing in this Act shall prejudice or affect the enactments relating to milk and dairies mentioned in the Fifth Schedule to this Act or any other enactments relating to milk and dairies, except so far as such enactments are expressly repealed, amended, or extended by this Act.

SCHEDULES.

FIRST SCHEDULE.

Sections 3, 18.

Procedure for stopping Supply of Milk under Section Three.

(1) The medical officer of health of the county or county borough in which the cows from which the milk is obtained are kept shall report the matter to the council of such county or county borough (hereinafter referred to as the responsible authority).

(2) His report shall be accompanied by the veterinary or bacteriological reports which have been furnished to him.

(3) On the receipt of the report or a copy of the report from the medical officer of health, the responsible authority may serve on the dairyman notice to appear before them, or furnish an explanation in writing, within such time not less than forty-eight hours from the time of the service of the notice on him as may be specified in the notice, to show cause why such an order as is hereinafter mentioned should not be made.

(4) The notice shall be accompanied by a copy of the reports made in respect of the dairy.

(5) The responsible authority if, in their opinion, the dairyman has failed to show cause why an order should not be made, may make an order prohibiting him, either absolutely or unless such conditions as may be prescribed in the order are complied with, from supplying for human consumption, or using or supplying for use in the manufacture of products for human consumption, any milk from the dairy or from any particular cow or cows therein until the order has been withdrawn in accordance with the provisions of this Schedule.

(6) The order shall specify the grounds on which it is made.

(7) On the making of such an order, a copy of the order shall forthwith be served on the dairyman, and notice of the facts shall also be served on the Local Government Board and the Board of Agriculture and Fisheries.

(8) Where no order is made, the responsible authority shall allow the dairyman any reasonable expenses incurred by him in showing cause why the order should not be made.

(9) An order prohibiting the supply or use of milk made under this Schedule shall forthwith be withdrawn, and notice of withdrawal served on the dairyman as soon as may be after the responsible authority or their medical officer of health is satisfied that the milk supplied from the dairy is not likely to cause disease.

(10) The medical officer of health shall have power to withdraw an order if so authorised by the responsible authority.

(11) If a dairyman is aggrieved by the making or continuance of an order prohibiting the supply or use of milk, he may by complaint under the Summary Jurisdiction Acts appeal to a court of summary jurisdiction.

(12) A court of summary jurisdiction on such appeal may confirm, vary, or withdraw the order and may direct to and by whom the costs of the appeal are to be paid.

(13) Pending the determination of the appeal, an order shall remain in force unless previously withdrawn.

(14) If an order prohibiting the supply or use of milk is made against a dairyman he shall unless the order has been made in consequence of his own default or neglect be entitled to recover from the responsible authority full compensation for any damage or loss which he may have sustained by reason of the making of the order. The dairyman shall also be entitled to full compensation for any damage or loss which he may sustain in consequence of the responsible authority unreasonably neglecting or refusing to withdraw an order made against him.

(15) In the case of an appeal under this schedule being allowed, the court to which the appeal is made shall determine and state whether the order, the subject of appeal, was made in consequence of the default or neglect of the dairyman or the withdrawal has been unreasonably neglected or refused.

(16) Any dispute as to the fact of damage or loss or as to the amount of compensation shall be settled by arbitration in the same manner as provided by the Public Health Act, 1875, and any sum awarded as compensation shall be recoverable as a civil debt.

(17) If the compensation claimed does not exceed twenty pounds it may at the option of either party instead of being settled as herein-before provided be settled by, and recoverable before, a court of summary jurisdiction.

Section 5.

SECOND SCHEDULE.

DISEASES OF COWS IN ADDITION TO TUBERCULOSIS TO WHICH SECTION FIVE APPLIES.

Acute mastitis.
Actinomycosis of the udder.
Anthrax.
Foot-and-mouth disease.
Suppuration of the udder.
Any other disease affecting cows which by a Milk and Dairies Order is declared to be a disease for the purposes of section five of this Act.

THIRD SCHEDULE.

Section 9.

Amendment of Sale of Food and Drugs Acts.

(1) Where, under the Sale of Food and Drugs Acts, 1875 to 1907, a sample of milk is procured from a purveyor of milk, he shall, on being required to do so by the person by whom or on whose behalf the sample was taken, state the name and address of the seller or consignor from whom he received the milk.

(2) The local authority in whose district the sample was taken may take or cause to be taken one or more samples of milk in course of transit or delivery from such seller or consignor.

Within sixty hours after the sample of milk was procured from the purveyor he may serve on the local authority a notice stating the name and address of the seller from whom he received the milk and the time and place of delivery to the purveyor by the seller or consignor of milk from a corresponding milking and requesting them to take immediate steps to procure, as soon as practicable, a sample of milk in the course of transit or delivery from the seller or consignor to the purveyor, unless a sample has been so taken since the sample was procured from the purveyor, or within twenty-four hours prior to the sample being procured from the purveyor, and where a purveyor has not served such notice as aforesaid, he shall not be entitled to plead a warranty as a defence in any such proceedings :

Provided that the purveyor shall not have any such right to require that such a sample shall be taken in cases where the milk, from which the sample procured from the purveyor was taken, was a mixture of milk obtained by the purveyor from more than one seller or consignor.

If a purveyor has served on the local authority such a notice as aforesaid, and the local authority have not procured a sample of milk from the seller or consignor in accordance with the foregoing provisions, no proceedings under the Sale of Food and Drugs Acts, 1875 to 1907, shall be taken against the purveyor in respect of the sample of milk procured from him.

(3) Any sample of milk so taken in the course of transit or delivery shall be submitted for analysis to the analyst to whom the sample procured from the purveyor is or was submitted.

(4) If proceedings are taken against the purveyor of milk, a copy of the certificate of the result of the analysis of every sample so taken in the course of transit or delivery shall be furnished to the purveyor, and every such certificate shall, subject to the provisions of section twenty-one of the Sale of Food and Drugs Act, 1875, be sufficient evidence of the facts stated therein, and shall be admissible as evidence on any question whether the milk sold by the purveyor was sold in the same state as he purchased it.

(5) The local authority of the district in which the first-mentioned sample was taken may, instead of, or in addition to, taking proceedings against the purveyor of milk, take proceedings against the seller or consignor.

(6) If a sample of milk of cows in any dairy is taken in course of transit or delivery from that dairy, the owner of the cows may, within sixty hours after the sample of milk was procured, serve on the local authority a notice requesting them to take immediate steps to procure as soon as practicable a sample of milk from a corresponding milking of the cows, and the foregoing provisions shall apply accordingly :

Provided that the person taking the sample shall be empowered to take any such steps at the dairy as may be necessary to satisfy him that the sample is a fair sample of the milk of the cows when properly and fully milked.

Section 21 (3).

FOURTH SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
41 & 42 Vict. c. 74.	The Contagious Diseases (Animals) Act, 1878.	The whole Act so far as unrepealed.
49 & 50 Vict. c. 32.	The Contagious Diseases (Animals) Act, 1886.	The whole Act so far as unrepealed.
62 & 63 Vict. c. 51.	The Sale of Food and Drugs Act, 1899.	Sections nine and eleven.
4 & 5 Geo. 5 c. 49.	The Milk and Dairies Act, 1914 -	The whole Act.
5 & 6 Geo. 5. c. 59.	The Milk and Dairies Acts Postponement Act, 1915.	In section one "the "Milk and Dairies "Act, 1914, and" and "the Local Go- "vernment Board "and" and "respectively."

Section 21 (4).

FIFTH SCHEDULE.

ENACTMENTS SAVED.

The provisions of the Public Health Acts and the Public Health (London) Act, 1891, with respect to nuisances and the sale of food so far as the same relate to milk and dairies.

The Sale of Food and Drugs Acts, 1875 to 1907, so far as they relate to the sale of milk.

The Public Health (London) Act, 1891, sections sixty-nine and seventy-one.

The Public Health Acts Amendment Act, 1907, sections fifty-three and fifty-four.

The Infectious Diseases Prevention Act, 1890, section four.

CHAPTER 67.

An Act to amend the Law with respect to Customs in the Isle of Man. [29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of additional duties on tea, tobacco, spirits, ale, and beer. 6 Edw. 7. c. 18. 63 & 64 Vict. c. 31.

1. The additional duty of Customs on tea removed or imported into the Isle of Man imposed by section one of the Isle of Man (Customs) Act, 1906, and the additional duties of Customs on tobacco and spirits removed or imported into the Isle of Man imposed by section one of the Isle of Man (Customs) Act, 1900, and the additional duty on ale and beer removed or imported into the Isle of Man imposed by the second paragraph of section two of that Act, shall continue to be charged, levied, and paid as from the first day of August nineteen hundred and fifteen until the first day of August nineteen hundred and sixteen.

Short title.

2. This Act may be cited as the Isle of Man (Customs) Act, 1915.

CHAPTER 68.

An Act to grant Money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans. [29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Appointment of Public Works Loan Commissioners for five years. 38 & 39 Vict. c. 89.

1. Whereas the term of office of persons who are, at the passing of this Act, Public Works Loan Commissioners under the Public Works Loans Act, 1875, will expire at the end of a period of five years from the first day of April nineteen hundred and eleven, and it is expedient to appoint Commissioners for a

further period of five years; therefore the following persons (that is to say):—

Edward Norman, Esquire,
The Honourable Herbert Cokayne Gibbs,
Sir Herbert Barnard,
His Honour Judge O'Connor, K.C.,
The Honourable Evelyn Hubbard,
Edward Henry Loyd, Esquire,
The Right Honourable Lord Newlands,
William Douro Hoare, Esquire,
Robert Lydston Newman, Esquire,
The Right Honourable the Earl of Chichester,
Charles Cave Cave, Esquire,
Sir John Herbert Roberts, Baronet, M.P.,
Laurence Currie, Esquire,
Alexander Brodrick Leslie-Melville, Esquire,
Anthony de Rothschild, Esquire,
Alfred Mildmay, Esquire,
Sir Thomas Henry Elliott, K.C.B.,
The Honourable William Henry Goschen,

shall, after the passing of this Act, be the Public Works Loan Commissioners under the Public Works Loans Act, 1875, and shall hold office until the expiration of five years from the first day of April nineteen hundred and sixteen.

Grants for public works.

2.—(1) For the purpose of local loans, there may be issued by the National Debt Commissioners the following sums, namely:—

(*a*) For the purpose of loans by the Public Works Loan Commissioners, any sum or sums not exceeding in the whole the sum of three million pounds:

(*b*) For the purpose of loans by the Commissioners of Public Works in Ireland, any sum or sums not exceeding in the whole the sum of four hundred thousand pounds.

(2) The sums so issued shall be issued during a period ending on the day on which a further Act granting money for the purposes of those loans comes into operation, and in accordance with the provisions of the National Debt and Local Loans Act, 1887.

50 & 51 Vict. c. 16.

Certain debts not to be reckoned as assets of local loans fund.

3. Whereas it is expedient that the principal of the several local loans specified in the Schedule to this Act should, to the extent specified in the last column of that schedule, not be reckoned as assets of the local loans fund established under the National Debt and Local Loans Act, 1887; therefore, the principal of the said loans shall to that extent be written off from the assets of the local loans fund, and the provisions of section fifteen of the said Act shall, so far as applicable, apply thereto.

Remission of arrears of principal and

4. Whereas in pursuance of an agreement made in the year eighteen hundred and ninety-two the sum of ten thousand pounds

was advanced by the Public Works Loan Commissioners to the Eyemouth Harbour Trustees on the security of the harbour revenues with the collateral security of the Fishery Board for Scotland: interest in respect of Eyemouth Harbour loan.

And whereas by an arrangement confirmed by section three of the Public Works Loans Act, 1901, the liability of the Eyemouth Harbour Trustees in respect of the said loan was extinguished without prejudice to the liability of the Fishery Board for Scotland to repay that loan, and, in consequence thereof, the said collateral security is the sole security for the repayment of the said loan: 1 Edw. 7. c. 35.

And whereas the terms of the said collateral security are embodied in a memorandum of agreement between the Secretary for Scotland and the Public Works Loan Commissioners, dated the eleventh day of March eighteen hundred and ninety-two, whereby a portion of the "surplus herring brand fees," as defined in clause three of the said memorandum, was pledged in security for the repayment of the said loan with interest by the instalments and at the times mentioned in the security given by the Eyemouth Harbour Trustees for the said loan, and it was provided that the said portion of the "surplus herring brand fees" of any one year should only be applicable to the repayment of the one-fiftieth part of principal and interest on outstanding principal falling due under the security for the said loan in the same year, and should not be applicable to the repayment of arrears of principal:

And whereas the said portion of the "surplus herring brand fees" so pledged as aforesaid, was in the year ending the thirty-first day of March nineteen hundred and fifteen insufficient to discharge in full the instalment of principal with interest which fell due under the security for the said loan in that year, and the principal sum of two hundred pounds, with interest amounting to one hundred and eighty-two pounds four shillings and sixpence, now remains unpaid and under the terms of the said memorandum of agreement is irrecoverable:

Therefore the said principal sum of two hundred pounds shall be extinguished, and the said arrears of interest amounting to one hundred and eighty-two pounds four shillings and sixpence shall be remitted.

5. This Act may be cited as the Public Works Loans Act, 1915. Short title.

SCHEDULE.

Section 3.

PART I.

LOANS BY THE PUBLIC WORKS LOAN COMMISSIONERS.

Loan under the Harbours and Passing Tolls Act, 1861 (24 & 25 *Vict. c.* 47).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ s. d.	£ s. d.
Eyemouth Harbour Trustees - -	10,000 0 0	200 0 0

PART II.

LOANS BY THE COMMISSIONERS OF PUBLIC WORKS, IRELAND.

(1) *Loan under the Landed Property Improvement (Ireland) Act*, 1847 (10 *Vict. c.* 32).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ s. d.	£ s. d.
Patrick Taaffe - - - -	250 0 0	37 16 11
	60 0 0	9 10 2
	100 0 0	15 17 0
Leslie Wren - - - -	100 0 0	80 11 10
Daniel Dalton - - - -	200 0 0	53 4 0

(2) *Loans under the Landlord and Tenant (Ireland) Act*, 1870 (33 & 34 *Vict. c.* 46).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ s. d.	£ s. d.
Michael Counihan - - -	1,000 0 0	546 11 5

(3) *Loans under the Land Law (Ireland) Act*, 1881 (44 & 45 *Vict. c.* 49. *s.* 31).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ s. d.	£ s. d.
Patrick McGoey - - - -	40 0 0	6 9 4
William Tolan - - - -	500 0 0	264 1 10

CHAPTER 69.

An Act to confirm Action taken by any Cotton Association for dealing with Emergencies due to the present War.

[29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Confirmation of postponement of contracts by cotton associations.

1. Any action taken by any cotton association before the passing of this Act for altering the date of delivery under any contracts made expressly or impliedly subject to the rules of the association by any persons (whether members of the association or not) for the future delivery of cotton is hereby confirmed; and the date of delivery under any such contracts shall be, and shall be deemed to have been, altered in accordance with any notice for the alteration thereof issued by the association and subject to the conditions contained in the notice.

Short title.

2. This Act may be cited as the Cotton Associations (Emergency Action) Act, 1915.

CHAPTER 70.

An Act to amend and extend the provisions of the Execution of Trusts (War Facilities) Act, 1914.

[29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers of tenant for life under Settled Land Acts. 5 & 6 Geo. 5. c. 13.

1. A tenant for life or a person having the powers of a tenant for life within the meaning of the Settled Land Acts, 1882 to 1890, shall be deemed to be a trustee within the meaning of the Execution of Trusts (War Facilities) Act, 1914, (hereinafter referred to as the principal Act) and accordingly may in pursuance of the principal Act by power of attorney delegate the exercise of all or any of his statutory powers under the Settled Land Acts, 1882 to 1890, and also all or any of the powers (if any) conferred upon him by the settlement in extension of such statutory powers: Provided that such delegation shall only be made to the trustees of the settlement for the purposes of the said Acts or to one or more of them.

Executors and administrators.

2. For removing doubts it is hereby declared that an executor or administrator of a deceased person is, in relation to the administration of the estate of the deceased, a trustee within the meaning of the principal Act, and that he may appoint as his attorney his co-executor or co-administrator (if any), or any other person who would be capable of being appointed by a court of competent jurisdiction to be administrator with the will annexed or administrator of such deceased person, if no executor or administrator existed:

Provided that for the purpose of this provision, a person shall not be deemed to be incapable of being appointed administrator by reason only that some other person would have, according to the law or practice of the court, a prior claim to be so appointed.

Revocation of powers of attorney.

3.—(1) In favour of any person dealing with the donee of a power of attorney made under the principal Act or this Act, any act done or instrument executed by the attorney shall, notwithstanding that the power has become revoked by the act of the donor of the power or by his death or otherwise, be as valid and effectual as if the donor of the power were alive and of sound mind and had himself done such act or executed such instrument, unless such person had actual notice of the revocation of the power or of the death or unsoundness of mind of the donor of the power before such act was done or deed executed.

(2) In favour of a person dealing with the attorney any such statutory declaration made by the attorney as is mentioned in subsection (4) of section one of the principal Act shall be conclusive evidence of the facts therein declared.

Powers of trustees in case of death of infant engaged on war service.

4. Where an infant who has been engaged on war service within the meaning of subsection (2) of section one of the principal Act, or who, having been abroad but not actually engaged on war service, has been for any reason connected with the present war unable to return from abroad to the United Kingdom, has died, all acts and instruments purporting to be done or executed on his behalf under the provisions of section sixty of the Settled Land Act, 1882, after the date of his death shall, in favour of any person who had not at the time the act was done or the instrument executed actual notice of the death, be as valid and effectual as if such infant were still living.

Persons reported missing presumed to be alive.

5. A trustee or infant to whom the principal Act or this Act applies shall, for the purposes of those Acts, be presumed to remain alive until definite news of his death has been received or such death has been presumed by a court of competent jurisdiction, and the fact that he is reported "missing" or "missing and believed to be killed" shall not be construed as giving to persons having knowledge of such report actual notice of his death, although in fact it has occurred.

6. This Act may be cited as the Execution of Trusts (War Facilities) Amendment Act, 1915, and shall be construed as one with the principal Act; and this Act and the principal Act may be cited together as the Execution of Trusts (War Facilities) Acts, 1914 and 1915. Short title and construction.

CHAPTER 71.

An Act to extend the Customs (War Powers) Act, 1915. [29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Customs (War Powers) Act, 1915, shall be read as if the following subsection were substituted for subsection (1) of section five of that Act:— Provision as to declarations as to ultimate destination of exported goods. 5 & 6 Geo. 5. c. 31.

"(1) Where in pursuance of any order made by the Commissioners of Customs and Excise under section one hundred and thirty-nine of the Customs Consolidation Act, 1876, a person, in the course of making entry before shipment, makes a declaration as to the person or country for whom any goods are ultimately destined, then, unless security has been given by bond, the exporter shall, if and when required by the Commissioners of Customs and Excise, produce evidence to their satisfaction that those goods have not reached a person who is an enemy or treated as an enemy, or a country which is an enemy country or treated as an enemy country, under any law for the time being in force relating to trading with the enemy; and if he fails to do so he shall be liable to a penalty of treble the value of the goods, or one hundred pounds, at the election of the Commissioners, unless he proves that the goods reached the person or country without his consent or connivance, and that he took all reasonable steps to secure that the ultimate destination of the goods should be the person or country mentioned in the declaration."

2. The power under section six of the Customs (War Powers) Act, 1915, to seize imported goods suspected to be of enemy origin shall be extended so as to apply to any goods which the Commissioners of Customs and Excise have reason to suspect are being imported in contravention of the law relating to trading with the enemy. Extension of Customs (War Powers) Act, 1915, s. 6.

Short title.

3. This Act may be cited as the Customs (War Powers) (No. 2) Act, 1915.

CHAPTER 72.

An Act to give temporary power to Government Departments to extend the time limited for the performance of duties or the exercise of powers under special Acts.

[29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of time limited under special Acts.

1.—(1) Where the time within which a duty is to be performed or a power may be exercised under any special Act is limited, an application may be made to the appropriate Government Department for an order under this Act extending that time; but only in cases where the time is due to expire within twelve months of the date of the application.

(2) An application may be so made by or on behalf of the person by whom the duty is to be performed or by whom the power may be exercised, or by or on behalf of any other person appearing to the Department to be interested in the extension of time for the performance of the duty or the exercise of the power.

(3) If on any such application the Department are satisfied that, in the circumstances of the case, the time in respect of which the application is made should be extended, they may make an order so extending the time, and the special or other Act by which the time is limited shall, as respects the time extended by the Order, have effect as if the time as so extended were substituted for the time specified in the Act:

Provided that, without prejudice to the making of any further order, no time shall be extended under any such order for more than a year.

An order shall have full effect notwithstanding that the time to which it relates has expired, if the application upon which the order is made was made before the time expired.

(4) Before dealing with any application, the Department may require the applicant to publish any notices which the Department direct him to publish, and, in any case where it appears to the Department necessary, to give notice to such persons as the Department direct, and may give any person appearing to the Department to be interested in the question of the extension of time an opportunity of representing his

views to the Department in such manner as the Department think fit.

(5) An order made by a Government Department under this Act shall be published in the London, Edinburgh, or Dublin Gazette, as the case requires, and shall not, after it is made, be questioned on the ground that it was not made by the appropriate Department; and if any question arises as to the Department to which an application under this Act should be referred, that question shall be determined by the Treasury, and their decision on the matter shall be conclusive.

Interpretation, short title, and duration.

2.—(1) In this Act the expression "special Act" means a local or private Act, and includes any public Act of a local or private nature, and any certificate or order having the force of an Act or confirmed by Act.

(2) This Act may be cited as the Special Acts (Extension of Time) Act, 1915.

(3) This Act shall have effect only where the application under the Act is made during the continuance of the present war or a period of six months thereafter.

CHAPTER 73.

An Act to amend the Naval Discipline Act.

[29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of s. 56 of the Naval Discipline Act.

1.—(1) In paragraph (*a*) of subsection (3) of section fifty-six of the Naval Discipline Act, which relates to authorities having power to try offences, for the words "when the tender is absent "from the ship, by the officer in command of the tender" there shall be substituted the words "in the case of a single tender "absent from the ship, by the officer in command of such "tender, and in the case of two or more tenders absent from the "ship in company or acting together, by the officer in immediate "command of such tenders."

(2) In paragraph (*d*) of the same subsection after the words "naval barracks" there shall be inserted "be exercised by."

Trial of officers for disciplinary offences in time of war.

2. The following section shall be inserted after section fifty-seven of the Naval Discipline Act:—

"**57A.**—(1) Where any officer borne on the books of any of His Majesty's ships in commission is in time of war alleged to have been guilty of a disciplinary offence, that is to say, a breach of section seventeen, eighteen, nineteen, twenty-two, twenty-

three, twenty-seven, or forty-three of this Act, the officer having power to order a court martial may, if he considers that the offence is of such a character as not to necessitate trial by court martial, in lieu of ordering a court martial, order a disciplinary court constituted as herein-after mentioned.

(2) A disciplinary court shall be composed of not less than three nor more than five officers, of whom one shall be a commander or of higher rank.

(3) A disciplinary court shall have power to impose any punishment inferior to detention in the scale herein-before contained, but no greater punishment.

(4) The Admiralty may from time to time frame general orders for regulating the assembling, constitution and procedure and practice of disciplinary courts under this section, and may by those regulations apply, with the necessary modifications, to disciplinary courts the provisions of sections sixty-two to sixty-four and sections sixty-six to sixty-nine of this Act relating to courts martial, and the regulations shall provide for evidence being taken on oath and empower the court to administer oaths for that purpose."

Amendment of s. 90 of Naval Discipline Act.

3. Section ninety of the Naval Discipline Act shall extend to vessels in His Majesty's service in time of war other than hired vessels, and accordingly for the words "With respect to hired vessels in His Majesty's service in time of war" there shall be substituted the words "With respect to vessels in His "Majesty's service in time of war, whether belonging to His "Majesty or not, which are not wholly manned by naval ratings, "but," and the word "hired" shall be omitted wherever it occurs in that section.

Liability of seamen, &c. for maintenance of wives and children.

4. The following section shall be inserted after section ninety-eight of the Naval Discipline Act:—

"**98A.**—(1) A person subject to this Act shall be liable to contribute to the maintenance of his wife and of his children, and also to the maintenance of any bastard child of which he may be proved to be the father, to the same extent as if he were not so subject; but execution in respect of any such liability or of any order or decree in respect of such maintenance shall not issue against his person, pay, arms, ammunition, equipments, instruments, or clothing; nor shall he be liable to be punished for the offence of deserting or neglecting to maintain his wife or family, or any member thereof, or of leaving her or them chargeable to any union, parish, or place.

(2) When any order or decree is made under any Act or at common law for payment by a man who is or subsequently becomes subject to this Act either of the cost of the maintenance of his wife or child, or of any bastard child of whom he is the putative father, or of the cost of any relief given to his wife or child by way of loan, a copy of such order or decree shall be

sent to the Admiralty or any officer deputed by them for the purpose, and in the case—

(*a*) of such order or decree being so sent; or

(*b*) of it appearing to the satisfaction of the Admiralty or any officer deputed by them for the purpose that a person subject to this Act has deserted or left in destitute circumstances, without reasonable cause, his wife or any of his legitimate children under fourteen years of age,

the Admiralty or officer shall order to be deducted from the daily pay of the person so subject to this Act, and to be appropriated in liquidation of the sum adjudged to be paid by such order or decree, or towards the maintenance of the wife or children of the person, as the case may be, in such manner as the Admiralty or officer may think fit, a portion of such daily pay not exceeding—

where the person is a petty officer or a non-commissioned officer who is not below the rank of sergeant—in respect of a wife or children, one shilling, and in respect of a bastard child, sixpence;

in the case of any other person subject to this Act—in respect of a wife or children, sixpence, and in respect of a bastard child, fourpence:

Provided that no such deductions from pay in liquidation of the sum adjudged to be paid by such order or decree as aforesaid shall be ordered unless the Admiralty, or officer deputed by them, are satisfied that the person against whom the order or decree was made has had a reasonable opportunity of appearing to defend the case before the court by which the order or decree was made, and a certificate, purporting to be a certificate of the commanding officer of the ship on which he was or is serving, or on the books of which he was or is borne, that the person has been prevented by the requirements of the service from attending at a hearing of any such case shall be evidence of the fact unless the contrary is proved.

(3) Where a proceeding under any Act or at common law is instituted against a person subject to this Act for the purpose of enforcing against him any such liability as above in this section mentioned, the process may be served on the commanding officer of the ship on which he is serving, or on the books of which such person is borne, or where, by reason of the ship being at sea or otherwise, it is impracticable to serve the process on such commanding officer, the process may be served by being left with the Admiralty for transmission to such commanding officer, but such service shall not be valid unless there is left therewith in the hands of such commanding officer or Admiralty a sum of money (to be adjudged as costs incurred in obtaining the order or decree, if made against the person on whom the process is issued) sufficient to enable him to attend the hearing

of the case and to return to his ship or quarters, and such sum may be expended by the commanding officer for that purpose, and no process whatever under any Act or common law in any proceeding in this section mentioned shall be valid against a person subject to this Act if served after such person is under orders for service on a foreign station.

The production of a certificate of the receipt of the process purporting to be signed by such commanding officer as aforesaid shall be evidence that the process has been duly served unless the contrary is proved.

Where, by an order or decree sent to the Admiralty or officer in accordance with subsection (2) of this section, the person against whom the order or decree is made is adjudged to pay as costs incurred in obtaining the order or decree any sum so left with the process as aforesaid, the Admiralty may cause a sum equal to the sum so left to be paid in liquidation of the sum so adjudged to be paid as costs, and the amount so paid by the Admiralty shall be a public debt from the person against whom the order or decree was made, and, without prejudice to any other method of recovery, may be recovered by deductions from his daily pay, in addition to those mentioned in subsection (2) of this section.

(4) This section shall not apply to persons subject to this Act where such persons are officers."

Printing and construction of Naval Discipline Act.

5.—(1) Every enactment and word which is directed by this Act to be substituted for or added to any portion of the Naval Discipline Act shall form part of that Act in the place assigned to it by this Act, and the Naval Discipline Act and all Acts which refer thereto shall, after the commencement of this Act, be construed as if that enactment or word had been originally enacted in the Naval Discipline Act in the place so assigned, and, where it is substituted for another enactment or word, had been so enacted in lieu of that enactment or word, and as if the Naval Discipline Act had been enacted with the omission of any enactment or word which is directed by this Act to be omitted from that Act, and the expression "this Act" in the Naval Discipline Act shall be construed accordingly.

(2) A copy of the Naval Discipline Act with every such enactment and word inserted in the place so assigned, and with the omission of any portion of that Act directed by this Act to be omitted from that Act, shall be prepared and certified by the Clerk of the Parliaments and deposited with the rolls of Parliament, and His Majesty's printers shall print in accordance with the copy so certified all copies of the Naval Discipline Act which are printed after the commencement of this Act.

Short title and commencement.

6. This Act may be cited as the Naval Discipline (No. 2) Act, 1915.

CHAPTER 74.

An Act to amend the Law with respect to the Superannuation Allowances payable to the Metropolitan Police Magistrates, the Dublin Divisional Justices and the Stipendiary Magistrate for Chatham and Sheerness.

[29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Superannuation allowances to police magistrates.

1.—(1) Subject to the provisions of this Act the Treasury, on the recommendation of the Secretary of State, may, on the retirement of a police magistrate to whom this Act applies, grant to him a superannuation allowance not exceeding the following scale, that is to say:—

(*a*) to a magistrate who has served five years and upwards and under six years, an annual allowance of fifteen-sixtieths of the annual salary of his office;

(*b*) to a magistrate who has served six years and under seven years, an annual allowance of sixteen-sixtieths of such salary;

(*c*) in like manner a further additional allowance to the annual allowance of one-sixtieth in respect of each additional year of such service until the completion of a period of service of thirty years, when an annual allowance of forty-sixtieths may be granted, and no addition shall be made in respect of any service beyond thirty years.

(2) A superannuation allowance under this Act shall be computed upon the amount of the salary enjoyed by the magistrate at the time of his retirement, unless he has been in receipt of that amount for less than three years, in which case it shall be computed on the average amount of salary received by him during the three years immediately preceding the date of his retirement.

(3) It shall not be lawful to grant any superannuation allowance, under the provisions of this Act, to any magistrate who is under sixty years of age, except upon a medical certificate to the satisfaction of the Secretary of State that he is incapable, from infirmity of mind or body, to discharge the duties of his office, and that such incapacity is likely to be permanent.

(4) Any sums payable on account of superannuation allowances under this Act shall be charged on and paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof, and shall be paid to a person entitled thereto at such times in every year as the Treasury may determine.

(5) A person to whom a superannuation allowance has been granted under this Act before he has attained the age of sixty years shall, until he has attained that age, be liable to be called upon to fill any public office or situation under the Crown in the United Kingdom for which his previous public services may render him eligible; and if he declines, when called upon to do so, to take upon him such office or situation, or declines or neglects to execute the duties thereof satisfactorily, being in a competent state of health, he shall forfeit his right to the superannuation allowance which has been granted to him.

(6) The decision of the Treasury on any question which arises as to the application of any provision of this Act to any person, or as to the amount of any superannuation allowance under this Act, or as to the reckoning of any service for such an allowance, shall be final.

(7) The police magistrates to whom this Act applies are all persons appointed after the passing of this Act to be metropolitan police magistrates, or divisional justices of the police district of Dublin metropolis, or stipendiary magistrate for Chatham and Sheerness, and any person appointed before the passing of this Act to any such office, if he was appointed on or after the eighteenth day of September nineteen hundred and fourteen and, within one month after the passing of this Act, gives notice in writing to the Treasury that he adopts the provisions of this Act; and nothing in this Act shall affect a superannuation allowance payable to any other police magistrate:

Provided that in the application of this Act to the divisional justices of the police district of Dublin metropolis references to the Lord Lieutenant shall be substituted for references to the Secretary of State, and a reference to moneys provided by Parliament shall be substituted for the reference to the Consolidated Fund of the United Kingdom or the growing produce thereof.

Short title.

2. This Act may be cited as the Police Magistrates (Superannuation) Act, 1915.

CHAPTER 75.

An Act to provide for the limitation of the Price of Coal.

[29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Limitation of price of coal at the pit's mouth.

1.—(1) Coal at the pit's mouth shall not be sold or offered for sale directly or indirectly by the owner of the coal or on his behalf at a price exceeding by more than the standard amount per ton the price of coal of the same description, sold in similar quantities, and under similiar conditions affecting the sale, at the pit's mouth at the same coal mine on the corresponding date (or as near thereto as, having regard to the course of business, may be practicable) in the twelve months ended the thirtieth day of June nineteen hundred and fourteen (in this Act referred to as the corresponding price).

(2) The standard amount shall be four shillings: Provided that the Board of Trade may, by order, if they are satisfied, as respects any class of coal mines specified in the order or the coal mines in any district so specified, that owing to special circumstances affecting those mines the standard amount of four shillings should be increased, substitute for that amount such higher sum as they may think just in the circumstances; and as respects those mines this Act shall have effect as if the higher sum so substituted were the standard amount.

(3) If any person sells or offers for sale any coal in contravention of this section he shall be liable on summary conviction to a fine not exceeding one hundred pounds or, at the discretion of the court, to a fine not exceeding treble the amount by which the sum paid or payable for any coal sold by him in contravention of this section exceeds the maximum sum which would have been paid or payable for the coal if there had been no contravention of this section: Provided that a person shall not be liable to a fine under this provision if he shows that he had reasonable grounds to believe that he was not committing an offence.

(4) This section shall apply (both as respects the price at which coal is sold or offered for sale and as respects the corresponding price) to a case where the owner of coal at the pit's mouth has sold or offered to sell that coal at a price which includes the cost of railway or other incidental services besides the actual value of the coal at the pit's mouth, as if he had sold or offered to sell it at the pit's mouth at that price reduced by an amount representing the cost of those services.

(5) It is hereby declared that nothing in this section shall affect the rights or obligations of any person under any contract or agreement for the sale of coal except, in cases where the sale is in contravention of this section, as respects so much of the price as exceeds the maximum price which could have been charged for the coal if there had been no contravention of this section.

Limitation of charge for waggon hire.

2.—(1) Where coal is conveyed from the pit's mouth over any railway in trucks not belonging to a railway company, the seller of such coal shall not be entitled to charge for the use of the trucks any sum exceeding by more than 50 per cent. the

sum which the railway company conveying the coal was actually charging for the provision of trucks at the commencement of this Act.

(2) If any person charges or attempts to charge for the use of any trucks in contravention of this section, he shall be liable on summary conviction to a fine not exceeding one hundred pounds.

Decision of question by the Board of Trade.

3.—(1) If in any proceedings any question is raised as to the corresponding price of any coal, or as to the cost of railway or other incidental services, or as to the sums charged for the use or provision of trucks, the court shall refer the question for determination by the Board of Trade, and the decision of the Board shall be final and conclusive for all purposes.

(2) If for any reason there are not adequate data at any coal mine from which to ascertain, in accordance with the foregoing provisions of this Act, the corresponding price at that mine, the Board of Trade may fix that price having regard to data afforded from sales of coal at other mines.

(3) The Board of Trade may require the owner of any coal mine to furnish such information as appears to them necessary for the purpose of carrying into effect this Act; and if any person refuses to furnish any such information when so required, or furnishes information which is false in any material particular, he shall be liable on summary conviction to a fine not exceeding one hundred pounds.

37 & 38 Vict. c. 40.

(4) The Board of Trade Arbitrations, &c. Act, 1874, shall apply as if this Act were a special Act within the meaning of the first-mentioned Act.

Application, short title, and duration.

4.—(1) This Act shall not apply to any sale of coal for export, or to any sale of coal for the manufacture of patent fuel for export, or to any sale of coal to be used on any ship.

(2) This Act shall not apply to the sale of coal supplied in pursuance of a contract made before the commencement of this Act:

Provided that where any contract has been made on or after the first day of April, nineteen hundred and fifteen, and before the commencement of this Act, for the sale of coal by the owner thereof at the pit's mouth, coal delivered under that contract after the expiration of the period fixed under this provision, and shown to be excepted coal within the meaning of this provision, shall, if the other party to the contract within two months after the commencement of this Act gives notice in writing to that effect to the owner of the coal at the pit's mouth, be deemed for the purposes of this Act to be sold at the time of the delivery thereof.

If, in consequence of this provision, the price to be paid by any person to whom coal is delivered is reduced by any amount, the price to be paid by any person to whom the coal is delivered

in pursuance of any subsidiary contract shall be reduced by an equivalent amount; and any purchaser under any such subsidiary contract shall have the same right to give notice to the owner of the coal at the pit's mouth as the person who has made the original contract with that owner, and any person who has sold the coal shall, if required, communicate to the purchaser the name of the person from whom the coal has been bought.

For the purpose of this provision "excepted coal" means coal supplied for domestic or household purposes to any person and coal supplied for any purpose to any local authority, or to any undertakers supplying gas, water, or electricity in any locality in pursuance of authority given by an Act of Parliament, or by an Order confirmed by, or having the effect of, an Act.

The period fixed under this provision shall be a period of three months after the commencement of this Act, but the owner of the coal at the pit's mouth may apply to the Board of Trade for an extension of that period and the Board of Trade may, if they are satisfied that there are special reasons in the case in question for such an extension, extend the period for such time as they think just under the circumstances, and the period as so extended shall in such a case be the period fixed under this provision.

(3) This Act shall not apply to coal raised in Ireland.

(4) This Act may be cited as the Price of Coal (Limitation) Act, 1915.

(5) This Act shall have effect during the continuance of the present war and a period of six months thereafter.

CHAPTER 76.

An Act to postpone Elections of local authorities and other bodies and the preparation of the Parliamentary and Local Government Registers, and for purposes incidental thereto. [29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Postponement of local elections.

1.—(1) The next statutory elections of county and borough councillors, district councillors, guardians, and parish councillors, shall be postponed for a year, and the term of office of the existing councillors and guardians shall accordingly be extended by one year.

This provision shall apply only where the next statutory election would take place before the first day of July nineteen hundred and sixteen.

(2) Any casual vacancy, requiring to be filled by election, among the members of any county council, any borough council, any district council, any board of guardians, or any parish council shall, until a new register comes into force, instead of being filled by an election, be filled by means of the choice by the council or board of a person to fill the vacancy, and a councillor or guardian so chosen shall hold office in the same manner in all respects as if he had been elected to fill the vacancy.

(3) The provisions of this section may be applied, if necessary, to the election, appointment or co-optation of the chairman, vice-chairman, elective auditors, or members of any kind of local or other body or committee thereof, by order of the Local Government Board as respects local bodies, and by order of the appropriate Government Department as respects any other bodies, and may be so applied with the necessary modifications and either generally as regards all bodies of any particular kind, or specially as regards any particular body or bodies. In the year nineteen hundred and sixteen the day of election of a chairman of a county council in England and Wales other than the London County Council shall be the day of the first ordinary quarterly meeting of that council after the eighth day of March in that year, and nothing in any Act of Parliament shall require the council to hold a meeting for the election of the chairman or of aldermen apart from other county business.

(4) Any provisions of any Act or Order or regulations relating to any such councillors or guardians, or to any such chairman, vice-chairman, or member of a local or other body, shall be construed as if they were modified in such a manner as to give effect to the provisions of this section, and the Local Government Board as respects councillors, guardians, or local bodies, and the appropriate Government Department as respects any other bodies, if any question arises, may by Order specify the actual modification which is to be made in pursuance of this section.

(5) If any question arises as to the appropriate Government Department by which an Order should be made under this section, that question shall be determined by the Treasury, and their decision on the matter shall be conclusive for all purposes.

(6) For the purposes of this section the expression "councillor" includes "alderman," the expression "borough" includes "metropolitan borough," the expression "statutory election" means an election to fill the place of councillors and guardians retiring on the expiration of their term of office, and the expression "existing councillors and guardians" means councillors and guardians who are in office at the time when the next retirement of councillors or guardians after the passing of this Act would, but for this Act, have taken place.

Saving for the City of London.

2. In the City of London this Act shall apply as regards elections to the Common Council, but in the case of a vacancy, casual or otherwise, occurring in the office of alderman or ward officer that vacancy shall be filled by election on the register existing at the time of the passing of this Act.

This Act shall not apply to elections in Common Hall.

Postponement of registration.

3.—(1) The parliamentary and local government register of electors, or any register based on the same, in force at the time of the passing of this Act, shall remain in force until Parliament provides for special registers being made or otherwise directs, but in no case after the thirty-first day of December nineteen hundred and sixteen; and the provisions of the Acts relating to the registration of electors, so far as regards the preparation of the new registers in the present year, shall not as from the end of the thirty-first day of July be carried into effect; and any appointments of revising barristers already made, and contracts already entered into for the purpose of the preparation of the registers in the present year are, so far as respects that purpose, hereby annulled:

Provided that nothing in this Act shall prevent any payment being made to the overseers or any other officer or person in respect of work done under or in connection with the Acts relating to the registration of electors before the first day of August for the purpose of the preparation of the registers in the present year.

(2) If any question arises as to any such payment or the apportionment thereof, or as to the effect of this section on any contract, that question shall be referred to the Local Government Board, and their decision thereon shall be conclusive for all purposes:

Provided that the duty of certifying for payment of expenses certifiable by a revising barrister in relation to the preparation of the register in the present year, and the apportionment of such expenses, shall be performed by the Local Government Board or by some person appointed by them.

Application to Scotland and Ireland.

4.—(1) In the application of this Act to Scotland, "the Secretary for Scotland" shall be substituted for "the Local Government Board," "town council" and "town councillors" shall be substituted for "borough council" and "borough councillors," respectively, and "municipal register" shall be substituted for "local government register of electors."

Nothing in section one of this Act shall operate to continue any councillor in the office of bailie beyond the date at which he would in ordinary course have retired as a councillor.

(2) In the application of this Act to Ireland, "the Local Government Board for Ireland" shall be substituted for "the Local Government Board."

Courts shall be held in Ireland by county court judges or in the county of Dublin or the county of the city of Dublin by revising barristers for the revision under the Juries (Ireland) Acts, 1871 to 1894, of jurors' lists in the present year, at such times (not later than the fifteenth day of November) and places as may be fixed by the Lord Chancellor of Ireland, notwithstanding that no courts are to be held in the present year for the revision of the register of parliamentary voters.

Short title.

5. This Act may be cited as the Elections and Registration Act, 1915.

CHAPTER 77.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and sixteen, and to appropriate the Supplies granted in this Session of Parliament. [29th July 1915.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

GRANTS OUT OF CONSOLIDATED FUND.

Issue of 183,752,254*l.* out of the Consolidated Fund.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and sixteen the sum of one hundred and eighty-three million seven hundred and fifty-two thousand two hundred and fifty-four pounds.

Power for the Treasury to borrow.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the

whole one hundred and eighty-three million seven hundred and fifty-two thousand two hundred and fifty-four pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March one thousand nine hundred and sixteen and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills. 40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Appropriation of Grants.

3. All sums granted by this Act and the other Acts mentioned in Schedule (A.) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of one thousand and two million seven hundred and nineteen thousand three hundred and fifty-six pounds thirteen shillings and ninepence are appropriated, and shall be deemed to have been appropriated as from the date of the passing of the Acts mentioned in the said Schedule (A.), for the services and purposes expressed in Schedule (B.) annexed hereto. Appropriation of sums voted for supply services.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

In addition to the sums hereby granted out of the Consolidated Fund, there may be applied out of any money directed under section two of the Public Accounts and Charges Act, 1891, to be applied as appropriations in aid of the grants for the services and purposes specified in Schedule (B.) annexed hereto, the sums respectively set forth in the last column of the said schedule. 54 & 55 Vict. c. 24.

4.—(1) So long as the aggregate expenditure on naval and military services respectively is not made to exceed the aggregate sums appropriated by this Act for those services respectively, any surplus arising on any vote for those services, either by an excess of the sum realised on account of appropriations in aid of the vote over the sum which may be applied under this Act as appropriations in aid of that vote, or by saving of expenditure on that vote, may, with the sanction of the Treasury, be temporarily applied either in making up any deficiency in the sums realised on account of appropriations in Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that the aggregate grants for the navy services and for the army services respectively be not exceeded.

aid of any other vote in the same department, or in defraying expenditure in the same department which is not provided for in the sums appropriated to the service of the department by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course.

(2) A statement showing all cases in which the sanction of the Treasury has been given to the temporary application of a surplus under this section, and showing the circumstances under which the sanction of the Treasury has been given, shall be laid before the House of Commons with the appropriation accounts of the naval and military services for the year, in order that any temporary application of any surplus sanctioned by the Treasury under this section may be submitted for the sanction of Parliament.

Sanction for navy and army expenditure for 1913–1914 unprovided for. 3 & 4 Geo. 5. c. 35. 4 & 5 Geo. 5. c. 24.

5. Whereas under the powers given for the purpose by the Appropriation Act, 1913, and the Appropriation Act, 1914, surpluses arising on certain votes for the naval and military services respectively have been temporarily applied as shown in the accounts set out in Schedule (C.) to this Act:

It is enacted that the application of those surpluses as shown in the said accounts is hereby sanctioned.

Declaration required in certain cases before receipt of sums appropriated.

6. A person shall not receive any part of a grant which may be made in pursuance of this Act for half-pay or army, navy, or civil non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Treasury before one of the persons prescribed by such warrant:

Provided that, whenever any such payment is made at more frequent intervals than once in a quarter, the Treasury may dispense with the production of more than one declaration in respect of each quarter.

Any person who makes a declaration for the purpose of this section, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanor.

Short title.

7. This Act may be cited for all purposes as the Appropriation Act, 1915.

ABSTRACT
OF
SCHEDULES (A.) and (B.) to which this Act refers.

Section 3.

SCHEDULE (A.)

	£	s.	d.
Grants out of the Consolidated Fund - -	1,002,719,356	13	9

SCHEDULE (B.)—Appropriation of Grants.

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
1913-1914-1915.	£	s.	d.	£	s.	d.
Part 1. Civil Services Excess, 1913–1914 - -	441	13	9	—		
„ 2. Civil Services (Supplementary), 1914–1915 -	222,999	0	0	—*103,010	0	0
„ 3. Naval and Military Operations, &c. (Supplementary Votes of Credit), 1914-15 - -	262,000,000	0	0	—		
£	262,223,440	13	9	—*103,010	0	0
1915-1916.						
„ 4. Navy - - -	17,000	0	0	1,700	0	0
„ 5. Army - - -	15,000	0	0	1,500	0	0
„ 5. Army (Ordnance Factories) - - -	1,000	0	0	100	0	0
£	33,000	0	0	3,300	0	0
„ 6. Civil Services, Class I. -	3,812,740	0	0	146,105	0	0
„ 7. Ditto, Class II. -	4,613,884	0	0	1,012,878	0	0
„ 8. Ditto, Class III. -	5,028,420	0	0	704,667	0	0
„ 9. Ditto, Class IV. -	20,981,239	0	0	22,615	0	0
„ 10. Ditto, Class V. -	1,486,811	0	0	118,739	0	0
„ 11. Ditto, Class VI. -	1,102,885	0	0	7,550	0	0
„ 12. Ditto, Class VII. -	21,812,158	0	0	259,400	0	0
Total Civil Services - £	58,838,137	0	0	2,271,954	0	0
„ 13. Revenue Departments, &c. £	31,624,779	0	0	656,811	0	0
„ 14. Naval and Military Operations, &c. (Vote of Credit) - - - £	250,000,000	0	0	—		
„ 15. Naval and Military Operations, &c. (Supplementary Votes of Credit) - - £	400,000,000	0	0	—		
Grand Total - - £	1,002,719,356	13	9	2,829,055	0	0

* Deficit.

SCHED. (A.)

SCHEDULE (A.)

GRANTS OUT OF THE CONSOLIDATED FUND.

	£	s.	d.
For the service of the years ended on the 31st day of March 1914 and 1915 :—			
Under Act 5 Geo. 5. c. 6 - - - -	225,000,000	0	0
Under Act 5 Geo. 5. c. 33 - - - -	37,223,440	13	9
For the service of the year ending on the 31st day of March 1916 :—			
Under Act 5 Geo. 5. c. 33 - - - -	286,855,000	0	0
Unde Act 5 & 6 Geo. 5. c. 53 - - - -	269,888,662	0	0
Under this Act - - - - - -	183,752,254	0	0
TOTAL - -	1,002,719,356	13	9

SCHED. (B.) PART 1.

SCHEDULE (B.)—PART 1.

Civil Services Excess, 1913–1914, Section 3.

CIVIL SERVICES EXCESS, 1913–1914.

SUM granted to make good an excess on the Grant for International Exhibitions for the year ended on the 31st day of March 1914, viz. :—

	Sum not exceeding	
	Supply Grant.	Appropriation in Aid.
CIVIL SERVICES.		
CLASS VII.	£ s. d.	£ s. d.
International Exhibitions -	441 13 9	—

SCHEDULE (B.)—Part 2.

Civil Services (Supplementary), 1914–1915.

Schedule of Supplementary Sums granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1915, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES.	£	£
Class I.		
For Rates and Contributions in lieu of Rates, &c., in respect of Government Property, and for Rates on Houses occupied by Representatives of Foreign Powers and for the Salaries and Expenses of the Rating of Government Property Department, and for a Contribution towards the Expenses of the London Fire Brigade - -	40,000	—
Class II.		
For His Majesty's Foreign and other Secret Services - - - - - - -	60,000	—
For the Salaries and Expenses of the Office of the Commissioners of Charitable Donations and Bequests for Ireland - - - -	100	—
Class III.		
For the Salaries and Expenses connected with the County Courts - - - - - -	60,650	—*106,000
For the Salaries and Expenses of the Commissioner of Police, the Police Courts, and the Metropolitan Police Establishment of Dublin - - -	2,500	—*200
For the Expenses of the Royal Irish Constabulary -	13,990	3,590
Class IV.		
For the Salaries and Expenses of the National Gallery, and of the National Gallery of British Art, Millbank, including a Grant in Aid for the purchase of pictures - - - - -	7,000	—*400
For the Salaries and Expenses of the Institutions of Science and Art in Dublin and of the Geological Survey of Ireland, and Annual Grants to Schools and Classes of Science and Art and Technical Instruction, including certain Grants in Aid, administered by the Department of Agriculture and Technical Instruction for Ireland . - -	5,000	—

* Deficit.

SCHED. (B.) PART 2.

Civil Services (Supplementary), 1914–1915.

	Sums not exceeding	
	Supply Grants.	Appropriation in Aid.
CLASS V.	£	£
For the subsidies to certain Telegraph Companies and a Grant in Aid of the Annual Expenses of the Pacific Cable - - - - - -	2,000	—
For making good the net loss on transactions connected with the raising of money for the various Treasury Chests Abroad in the year 1913–1914 -	10,759	—
CLASS VI.		
For Superannuation, Compensation, Compassionate, and Additional Allowances, and Gratuities under sundry statutes; Compassionate Allowances and Gratuities awarded by the Treasury, and the Salaries of Medical Referees - - -	21,000	—
TOTAL - - - £	222,999	—*103,010

* Deficit.

SCHED. (B.) PART 3.

SCHEDULE (B.)—PART 3.

Naval and Military Operations, &c. (Supplementary Votes of Credit).

NAVAL AND MILITARY OPERATIONS, &C., 1914–1915 (SUPPLEMENTARY VOTES OF CREDIT).

For defraying the expenses which may be incurred during the year ending on the 31st day of March 1915 for all measures which may be taken for the security of the country; for the conduct of naval and military operations; for assisting the food supply and promoting the continuance of trade, industry, business, and communications, whether by means of insurance or indemnity against risk; the financing of the purchase and resale of foodstuffs and materials, or otherwise; for relief of distress; and generally for all expenses arising out of the existence of a state of war - - - - - -	£ 262,000,000

SCHEDULE (B.)—PART 4.

SCHED. (B.) PART 4.

NAVY.

Navy.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the NAVY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1916; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For wages, &c., to 300,000 officers, seamen, and boys, coastguard, and royal marines (including a supplementary number of 50,000)	1,000	100
2.	For victualling and clothing for the navy, including the cost of victualling establishments at home and abroad	1,000	100
3.	For medical services, including the cost of medical establishments at home and abroad	1,000	100
4.	For civilians employed on fleet services	1,000	100
5.	For educational services	1,000	100
6.	For scientific services	1,000	100
7.	For the royal naval reserve, the royal fleet reserve, and the royal naval volunteers, &c.	1,000	100
8.	Sect. 1. For the personnel for shipbuilding, repairs, maintenance, &c., at dockyards and naval yards at home and abroad	1,000	100
	„ Sect. 2. For the matériel for shipbuilding, repairs, maintenance, &c., at dockyards and naval yards at home and abroad	1,000	100
	„ Sect. 3. For contract work for shipbuilding, repairs, &c.	1,000	100
9.	For naval armaments	1,000	100
10.	For works, buildings, and repairs at home and abroad, including the cost of superintendence, purchase of sites, grants in aid, and other charges connected therewith	1,000	100
11.	For various miscellaneous effective services	1,000	100
12.	For the Admiralty Office	1,000	100
13.	For half-pay, and retired pay to officers of the navy and marines	1,000	100
14.	For naval and marine pensions, gratuities, and compassionate allowances	1,000	100
15.	For civil superannuation, compensation allowances, and gratuities	1,000	100
	TOTAL NAVY SERVICES - £	17,000	1,700

SCHED. (B.) PART 5.

SCHEDULE (B.)—PART 5.

Army.

ARMY.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the ARMY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1916; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the pay, &c., of His Majesty's Army (including Army Reserve) at home and abroad (exclusive of India)	1,000	100
2.	For the pay, &c., of the medical establishments and for medicines, &c.	1,000	100
3.	For the pay, bounty, &c., of the Special Reserve and of the Officers' Training Corps	1,000	100
4.	For grants, pay, allowances, training, and miscellaneous charges of the Territorial Force and Channel Islands and Colonial Militia, including the expense of permanent staff	1,000	100
5.	For establishments for military education	1,000	100
6.	For quartering, transport, and remounts	1,000	100
7.	For supplies and clothing	1,000	100
8.	For the Ordnance Department establishments and for general stores	1,000	100
9.	For armaments, engineer stores, and aviation	1,000	100
10.	For works, buildings, and repairs, lands, and miscellaneous engineer services, including staff in connection therewith	1,000	100
11.	For miscellaneous effective services	1,000	100
12.	For the War Office	1,000	100
13.	For rewards; half-pay; retired pay; widows' pensions; and other non-effective charges for officers	1,000	100
14.	For Chelsea and Kilmainham hospitals; for out pensions; for rewards for distinguished services; for widows' pensions; and for other non-effective charges for warrant officers, non-commissioned officers, and men, &c.	1,000	100
15.	For civil superannuation, compensation, and additional allowances, gratuities, injury grants, &c.	1,000	100
	TOTAL ARMY SERVICES - £	15,000	1,500

SCHED. (B.) PART 5. Army.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
ARMY (ORDNANCE FACTORIES).	£	£
For the ordnance factories, the cost of productions of which is charged to the army, navy, and Indian and Colonial Governments, &c. - -	1,000	100
TOTAL ARMY SERVICES (INCLUDING ORDNANCE FACTORIES) - - £	16,000	1,600

SCHEDULE (B.)—PART 6.

SCHED. (B.) PART 6. Civil Services. Class I.

CIVIL SERVICES.—CLASS I.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1916; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For expenditure in respect of royal palaces, including a grant in aid - - -	65,250	3,030
2.	For expenditure in respect of Osborne - -	10,650	2,200
3.	For the royal parks and pleasure gardens -	121,400	13,000
4.	For expenditure in respect of the Houses of Parliament buildings - - -	74,000	420
5.	For expenditure in respect of miscellaneous legal buildings, Great Britain - -	58,200	680
6.	For expenditure in respect of Art and Science buildings, Great Britain - - -	99,800	1,350
7.	For expenditure in respect of diplomatic and consular buildings, and for the maintenance of certain cemeteries abroad - - -	49,440	2,345
8.	For the Customs and Excise, Inland Revenue, Post Office and Telegraph buildings in Great Britain, and certain Post Offices abroad -	788,000	7,710
9.	For Insurance and Labour Exchange buildings, Great Britain - - - - -	226,800	2,530
10.	For expenditure in respect of sundry public buildings in Great Britain not provided for on other votes - - - - -	843,600	24,000
11.	For the survey of the United Kingdom, and for minor services connected therewith -	174,920	19,200
12.	For maintaining certain harbours under the Board of Trade and for grants in aid of harbours - - - - -	23,087	3,600
13.	For constructing a new harbour of refuge at Peterhead - - - - -	32,000	—

SCHED. (B.) PART 6. Civil Services. Class I.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
14.	For rates and contributions in lieu of rates, &c., in respect of Government property, and for rates on houses occupied by Representatives of Foreign Powers, and for salaries and expenses of the Rating of Government property department, and for a contribution towards the expenses of the London Fire Brigade -	883,000	32,040
15.	For the erection, repairs, and maintenance of public buildings in Ireland, for the maintenance of certain parks and public works, and for the maintenance of drainage works on the River Shannon, and sundry grants in aid -	280,585	34,000
16.	For payments under the Tramways and Public Companies (Ireland) Act, 1883, &c., the Railways (Ireland) Act, 1896, the Marine Works (Ireland) Act, 1902, and for other purposes connected with Irish railways - -	50,008	—
18.	For a contribution to the cost of the improvement of the approach to the Mall - -	32,000	—
	TOTAL CIVIL SERVICES, CLASS I. - £	3,812,740	146,105

SCHED. (B.) PART 7.

SCHEDULE (B.)—PART 7.

Civil Services. Class II.

CIVIL SERVICES.—CLASS II.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1916; viz.:—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the offices of the House of Lords - - - -	35,785	8,500
2.	For the salaries and expenses of the House of Commons - - - - -	308,649	10,000
3.	For the salaries and other expenses of the department of His Majesty's Treasury and subordinate departments, including expenses in respect of advances under the Light Railways Act, 1896 - - - -	115,545	3,368
4.	For the salaries and expenses of the office of His Majesty's Secretary of State for the Home Department and subordinate offices -	267,169	8,050
5.	For the salaries and expenses of the department of His Majesty's Secretary of State for Foreign Affairs - - - -	70,413	1,500
6.	For the salaries and expenses of the department of His Majesty's Secretary of State for the Colonies, including a grant in aid of certain expenses connected with Emigration -	61,410	—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
7.	For the salaries and expenses of the department of His Majesty's most Honourable Privy Council	10,233	2,400
8.	For the salaries and expenses of the office of the Committee of Privy Council for Trade, and subordinate departments	378,549	26,692
9.	For the salaries and expenses of certain services transferred from the Mercantile Marine Fund and other services connected with the Mercantile Marine (including Merchant Seamen's Fund Pensions)	144,671	65,575
10.	For meeting the deficiency of income from fees, &c., for the requirements of the Board of Trade, under the Bankruptcy Acts, 1883 to 1913	11	108,690
11.	For the salaries and expenses of the Board of Agriculture and Fisheries and of the Royal Botanic Gardens, Kew, including certain grants in aid	341,648	269,252
12.	For the salaries and expenses of the Charity Commission for England and Wales	30,931	—
13.	For the salaries and expenses of the department of the Government Chemist	26,397	—
14.	For the salaries and expenses of the Civil Service Commission	51,273	—
15.	For the salaries and expenses of the department of the Comptroller and Auditor General	66,382	3,152
16.	For the salaries and expenses of the Registry of Friendly Societies	22,936	—
17.	For the salaries and expenses of the Local Government Board	361,791	5,600
18.	For the salaries and expenses of the Board of Control (Lunacy and Mental Deficiency), England	113,603	1,030
19.	For the salaries and expenses of the Mint, including the expenses of coinage, and for the expenses of the preparation of medals, dies for postage and other stamps, and His Majesty's seals	63	163,200
20.	For the salaries and expenses of the National Debt Office	13,403	2,738
21.	For the salaries and expenses of the Public Record Office and of the Office of Land Revenue Records and Inrolments	25,981	—
22.	For the salaries and expenses of the establishment under the Public Works Loan Commissioners (including a supplementary sum of 7,200*l.*)	7,216	4,740
23.	For the salaries and expenses of the department of the Registrar General of Births, &c., in England	47,251	11,350
24.	For stationery, printing, paper, binding, and printed books for the public service, for the salaries and expenses of the Stationery Office, and for sundry miscellaneous services, including reports of Parliamentary Debates	1,031,657	175,000
25.	For the salaries and expenses in the office of His Majesty's Woods, Forests, and Land Revenues	23,346	—

SCHED. (B.) PART 7. Civil Services. Class II.

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
26.	For the salaries and expenses of the office of the Commissioners of His Majesty's Works and Public Buildings - - - -	159,500	—
26A.	For the Salary of the Lord Privy Seal -	1,693	—
27.	For His Majesty's foreign and other secret services - - - - -	150,000	—
28.	For the salaries and expenses of the office of His Majesty's Secretary for Scotland and subordinate offices, expenses under the Inebriates Acts, 1879 to 1900, and expenses under the Private Legislation Procedure (Scotland) Act, 1899 - - - -	17,421	1,510
29.	For the salaries and expenses of the Board of Agriculture for Scotland, including certain grants in aid - - - - -	66,553	42,860
30.	For the salaries and expenses of the Fishery Board for Scotland, and for grants in aid of piers or quays - - - - -	21,030	1,461
31.	For the salaries and expenses of the General Board of Control for Scotland - -	18,935	528
32.	For the salaries and expenses of the department of the Registrar General of Births, &c., in Scotland - - - - -	6,711	1,200
33.	For the salaries and expenses of the Local Government Board for Scotland - -	24,630	—
34.	For the salaries and expenses of the household of the Lord Lieutenant of Ireland - -	4,554	—
35.	For the salaries and expenses of the offices of the Chief Secretary to the Lord Lieutenant of Ireland, in Dublin and London, and of the Inspectors of Lunatic Asylums, and expenses under the Inebriates Acts - -	25,165	319
36.	For the salaries and expenses of the department of agriculture and other industries, and technical instruction for Ireland, and of the services administered by that department, including sundry grants in aid - -	169,406	59,339
37.	For the salaries and expenses of the office of the Commissioners of Charitable Donations and Bequests for Ireland - - -	2,220	34
38.	For the Congested Districts Board for Ireland, including sundry grants in aid - -	169,750	12,340
39.	For the salaries and expenses of the Local Government Board, Ireland, including sundry grants in aid - - - - -	115,266	11,300
40.	For the salaries and expenses of the Public Record Office, Ireland, and of the Keeper of State Papers, Dublin - - - -	6,910	—
41.	For the salaries and expenses of the office of Public Works in Ireland - - -	46,732	1,700
42.	For the salaries and expenses of the department of the Registrar General of Births, &c., and for the expenses of collecting emigration statistics in Ireland - - - -	13,362	950
43.	For the salaries and expenses of the general valuation and boundary survey of Ireland -	37,733	8,500
	TOTAL CIVIL SERVICES, CLASS II. - £	4,613,884	1,012,878

SCHEDULE (B.)—PART 8.

Sched. (B.) Part 8.

CIVIL SERVICES.—CLASS III.

Civil Services. Class III.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1916; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries of the law officers' department, the salaries and expenses of the department of the Solicitor for the affairs of His Majesty's Treasury and King's Proctor, and the department of Director of Public Prosecutions, for the costs of prosecutions, of other legal proceedings, and of Parliamentary Agency -	89,754	16,250
2.	For certain miscellaneous legal expenses, including grants in aid of the expenses of the Incorporated Law Societies of England and Ireland - - - - -	49,166	12,731
3.	For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal as are not charged on the Consolidated Fund - - - -	330,995	47,290
4.	For the salaries and expenses of the office of Land Registry - - - -	39,497	—
5.	For the salaries and expenses of the office of Public Trustee - - - -	10	60,756
6.	For the salaries and expenses connected with the County Courts - - - -	118,982	322,000
7.	For the salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District, the contribution towards the expenses of the Metropolitan Police, the salaries and expenses of the Inspectors of Constabulary, and expenses in connection with Special Constables and the Police Reserve -	108,396	92
8.	For the expenses of the prisons in England, Wales, and the Colonies, including a grant in aid of certain expenses connected with Discharged Prisoners - - - - -	777,990	22,000
9.	For the salaries and expenses of the office of the Inspector of Reformatories and for the maintenance of juvenile offenders in reformatory, industrial, and day industrial schools and in places of detention under the Children Act, in Great Britain - - - -	331,824	24,500
10.	For the maintenance of criminal lunatics in the Criminal Lunatic Asylums at Broadmoor and Rampton - - - - -	56,120	1,019
11.	For the salaries and expenses of the Lord Advocate's department and other law charges, and the salaries and expenses of the Courts of Law and Justice in Scotland - -	87,476	47,250

SCHED. (B.) PART 8. Civil Services. Class III.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
12.	For the salaries and expenses of the office of the Scottish Land Court	10,084	—
13.	For the salaries and expenses of the offices in His Majesty's General Register House, Edinburgh	43,811	—
14.	For the salaries and expenses of the Prison Commissioners for Scotland, and of the prisons under their control, including the maintenance of criminal lunatics, defectives, and inmates of the State inebriate reformatory, and the preparation of judicial statistics	117,1[illegible]5	6,894
15.	For criminal prosecutions and other law charges in Ireland, including a grant in relief of certain expenses payable by statute out of local rates	65,208	555
16.	For such of the salaries and expenses of the Supreme Court of Judicature and of certain other legal departments in Ireland as are not charged on the Consolidated Fund	114,744	3,450
17.	For the salaries and expenses of the office of the Irish Land Commission	785,320	24,000
18.	For the salaries, allowances, and expenses of various county court officers, and of magistrates in Ireland, and the expenses of revision	108,685	5,300
19.	For the salaries and expenses of the Commissioner of Police, the police courts and the metropolitan police establishment of Dublin	105,914	57,400
20.	For the expenses of the Royal Irish Constabulary	1,454,267	47,580
21.	For the expenses of the General Prisons Board in Ireland, and of the establishments under their control; the registration of habitual criminals and the maintenance of criminal lunatics confined in district lunatic asylums	113,974	3,250
22.	For the expenses of reformatory and industrial schools in Ireland	110,516	2,350
23.	For the maintenance of criminal lunatics in the Dundrum Criminal Lunatic Asylum, Ireland	8,452	—
	TOTAL CIVIL SERVICES, CLASS III. - £	5,028,420	704,667

SCHEDULE (B.)—PART 9.

SCHED. (B.) PART 9.

CIVIL SERVICES.—CLASS IV.

Civil Services. Class IV.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1916; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the Board of Education, and of the various establishments connected therewith, including sundry grants in aid	15,481,378	5,015
2.	For the salaries and other expenses of the British Museum, and of the Natural History Museum, including certain grants in aid	154,935	13,400
3.	For the salaries and expenses of the National Gallery, and of the National Gallery of British Art, Millbank	15,670	1,200
4.	For the salaries and expenses of the National Portrait Gallery	4,993	—
5.	For the salaries and expenses of the Wallace Collection	7,962	480
6.	For the salaries and expenses in respect of the London Museum, Lancaster House	5,465	—
7.	For sundry grants in aid of scientific investigation, &c., and other grants (including a supplementary sum of 25,000*l.*)	115,582	—
8.	For grants in aid of the expenses of certain Universities and Colleges in Great Britain and of the expenses under the Welsh Intermediate Education Act, 1889	316,200	—
9.	For special grants in aid of certain Universities, Colleges, Medical Schools, and Agricultural Institutions, to meet loss of income arising during the war	145,000	—
10.	For public education in Scotland, and for Science and Art in Scotland	2,609,905	—
11.	For the salaries and expenses of the National Gallery, the Scottish National Portrait Gallery, and the Museum of Antiquities	4,878	—
12.	For the expenses of the Commissioners of National Education in Ireland, including a grant in aid of the Teachers Pension Fund, Ireland	1,805,919	700
13.	For the grant towards salaries of teachers in secondary schools in Ireland	40,000	—
14.	For the expenses of the office of the Commissioners for managing certain school endowments in Ireland	900	—
15.	For the salaries and expenses of the National Gallery of Ireland	2,165	—

SCHED. (B.) PART 9. Civil Services. Class IV.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
16. For the salaries and expenses of the Institutions of Science and Art in Dublin, and of the Geological Survey of Ireland, and Annual Grants to Schools and Classes of Science and Art and Technical Instruction, including sundry Grants in Aid, administered by the Department of Agriculture and Technical Instruction for Ireland - - - -	146,287	1,820
17. For grants under the Irish Universities Act, 1908	124,000	—
TOTAL CIVIL SERVICES, CLASS IV. - £	20,981,239	22,615

SCHED. (B.) PART 10.

SCHEDULE (B.)—PART 10.

Civil Services. Class V.

CIVIL SERVICES.—CLASS V.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1916; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the expenses in connection with His Majesty's embassies, missions, and consular establishments abroad, and other expenditure chargeable to the Consular Vote - -	754,917	106,120
2. For sundry colonial services, including certain grants in aid - - - - -	641,765	—
3. For the subsidies to certain Telegraph Companies, and a grant in aid of the annual expenses of the Pacific Cable - - -	40,129	12,619
4. For a grant in aid of the Revenue of the Island of Cyprus - - - - - -	50,000	—
TOTAL CIVIL SERVICES, CLASS V. - £	1,486,811	118,739

SCHEDULE (B.)—Part 11.

Sched. (B.) Part 11.

CIVIL SERVICES.—Class VI.

Civil Services. Class VI.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1916; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For superannuation, compensation, compassionate, and additional allowances, and gratuities under sundry Statutes, for compassionate allowances and gratuities awarded by the Treasury; and for the salaries of medical referees - - - - - - -	826,215	—
2.	For certain miscellaneous expenses, including certain charitable and other allowances, Great Britain - - - - - - -	22,154	7,550
3.	For hospitals and infirmaries and certain miscellaneous charitable and other allowances in Ireland, including sundry grants in aid -	16,853	—
4.	For the salaries and other expenses of temporary commissions, committees, and special inquiries - - - - -	35,000	—
5.	For making good certain sums written off from the assets of the Local Loans Fund - -	3,387	—
6.	For the Ireland Development Grant (Grant in Aid) - - - - - - -	185,000	—
7.	For expenditure in connection with International Exhibitions - - - - -	2,500	—
8.	For repayment to the Civil Contingencies Fund of certain Miscellaneous Advances -	11,776	—
	Total Civil Services, Class VI. - £	1,102,885	7,550

SCHED. (B.) PART 12.

SCHEDULE (B.)—PART 12.

Civil Services. Class VII.

CIVIL SERVICES.—CLASS VII.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1916; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For Old Age Pensions in the United Kingdom, and for certain administrative expenses in connection therewith - - - -	13,089,000	—
2.	For the salaries and expenses of the National Health Insurance Joint Committee, including sundry grants in aid - - - -	618,275	—
3.	For the salaries and expenses of the Insurance Commission (England), and for contributions and grants in respect of the cost of benefits and expenses of administration under Part I. of the National Insurance Act, 1911, and under the National Insurance Act, 1913 (including certain grants in aid) - - - -	4,900,356	—
4.	For the salaries and expenses of the Insurance Commission (Wales), and for contributions and grants in respect of the cost of benefits and expenses of administration under Part I. of the National Insurance Act, 1911, and under the National Insurance Act, 1913 (including certain grants in aid) - - - -	357,553	—
5.	For the salaries and expenses of the Insurance Commission (Scotland), and for contributions and grants in respect of the cost of benefits and expenses of administration under Part I. of the National Insurance Act, 1911, and under the National Insurance Act, 1913 (including certain grants in aid) - - - -	719,027	—
6.	For the salaries and expenses of the Insurance Commission (Ireland), and for contributions and grants in respect of the cost of benefits and expenses of administration under Part I. of the National Insurance Act, 1911, and under the National Insurance Act, 1913 (including certain grants in aid) - - - -	492,090	—
7.	For the salaries of the staff and other expenses of Labour Exchanges, including the contribution to the Unemployment Insurance Fund and repayments to associations pursuant to sections 85 and 106 of the National Insurance Act, 1911 - - - -	1,034,430	259,400
8.	For the salaries and expenses of the audit staff under the National Insurance Act, 1911 -	107,700	—
9.	For grants towards the cost of the extension of sanatorium benefit to the dependants of insured persons under the National Insurance Act, 1911, and of the treatment of tuberculosis generally - - - - -	385,000	—

SCHED. (B.) PART 12. Civil Services. Class VII.

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
11.	For the expenses of the Highlands and Islands (Medical Service) Board, and for a grant in aid of the Highlands and Islands Medical Service	44,015	—
12.	For making good the deficiency on the Income Account of the Fund for Friendly Societies -	14,712	—
13.	For contributions in aid of expenses under the Unemployed Workmen Act, 1905 - -	50,000	—
	TOTAL CIVIL SERVICES, CLASS VII. - £	21,812,158	259,400

SCHEDULE (B.)—PART 13.

SCHED. (B.) PART 13.

REVENUE DEPARTMENTS, &c.

Revenue Departments, &c.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several REVENUE DEPARTMENTS, &c., herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1916 ; viz. :—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the Customs and Excise Department - - -	2,514,607	94,010
2.	For the salaries and expenses of the Inland Revenue Department - - - -	2,273,792	10,000
3.	For the salaries and expenses of the Post Office, including Telegraphs and Telephones - -	26,836,380	552,801
	TOTAL REVENUE DEPARTMENTS - £	31,624,779	656,811

SCHED. (B.) PART 14.

SCHEDULE (B.)—PART 14.

Naval and Military Operations, &c. (Vote of Credit.)

NAVAL AND MILITARY OPERATIONS, &c. (VOTE OF CREDIT).

For defraying the expenses which may be incurred during the year ending the 31st day of March 1916, for general Navy and Army Services in so far as specific provision is not made therefor by Parliament; for the conduct of Naval and Military Operations; for all measures which may be taken for the security of the country; for assisting the food supply, and promoting the continuance of trade, industry, business, and communications, whether by means of insurance or indemnity against risk; the financing of the purchase and resale of foodstuffs and materials, or otherwise; for relief of distress; and generally for all expenses, beyond those provided for in the ordinary grants of Parliament, arising out of the existence of a state of war - - - - - - £250,000,000

SCHED. (B.) PART 15.

Naval and Military Operations, &c. (Supplementary Votes of Credit).

SCHEDULE (B.)—PART 15.

NAVAL AND MILITARY OPERATIONS, &c. (SUPPLEMENTARY VOTES OF CREDIT).

For defraying the expenses which may be incurred during the year ending the 31st day of March 1916, for general Navy and Army Services in so far as specific provision is not made therefor by Parliament; for the conduct of Naval and Military Operations; for all measures which may be taken for the security of the country; for assisting the food supply, and promoting the continuance of trade, industry, business, and communications, whether by means of insurance or indemnity against risk; the financing of the purchase and resale of foodstuffs and materials, or otherwise; for relief of distress; and generally for all expenses, beyond those provided for in the ordinary grants of Parliament, arising out of the existence of a state of war - - - - - - £400,000,000

SCHEDULE (C.)

SCHED. (C. Navy Services.

Number of Vote.	NAVY SERVICES, 1913-14. VOTES.	Surpluses.	Deficits made good from Surpluses.
		£ s. d.	£ s. d.
1	Wages, &c., of officers, seamen, and boys, Coastguard, and Royal Marines	99,997 3 10	—
2	Victualling and clothing for the Navy	—	16,246 6 10
3	Medical establishments and services	—	9,181 10 8
4	Martial law	—	240 3 3
5	Educational services	3,232 8 1	—
6	Scientific services	12,824 11 3	—
7	Royal Naval Reserves	35,971 15 4	—
8	Shipbuilding, repairs, maintenance, &c. :		
	I. Personnel	22,992 7 3	—
	II. Matériel	—	162,113 17 11
	III. Contract work	134,170 14 10	—
9	Naval armaments	—	31,829 2 4
10	Works, buildings, and repairs, at home and abroad	—	12,026 1 1
11	Miscellaneous effective services	—	20,790 17 4
12	Admiralty Office	—	10,220 14 8
13	Half-pay and retired pay	15,566 13 8	—
14	Naval and marine pensions, gratuities, and compassionate allowances	7 2 9	—
15	Civil superannuation, compensation allowances, and gratuities	16,777 0 3	—
—	Amount written off as irrecoverable	—	2,212 7 10
	Total	341,539 17 3	264,861 1 11
	NET SURPLUS	£76,678 15 4	

SCHED. (C.) Army Services.

SCHEDULE (C.)

Number of Vote.	ARMY SERVICES, 1913–14. VOTES.	Surpluses.	Deficits made good from Surpluses.
		£ s. d.	£ s. d.
1	Pay, &c., of the Army - -	195,621 13 5	—
2	Medical establishment: Pay, &c.	—	6,818 18 9
3	Special Reserve - - -	27,915 15 8	—
4	Territorial Forces - - -	—	5,452 6 3
5	Establishments for military education - - - -	—	8,962 4 11
6	Quartering, transport, and remounts - - - -	—	88,644 9 2
7	Supplies and clothing - -	—	54,342 13 9
8	Ordnance department establishments and general stores -	—	75,418 10 3
9	Armaments, aviation, and engineer stores - - - -	43,657 4 4	—
10	Works and buildings - -	—	164 1 1
11	Miscellaneous effective services -	3,937 18 3	—
12	War Office - - - -	716 10 7	—
13	Half-pay, retired pay, and other non-effective charges for officers, &c. - - - -	21,247 17 9	—
14	Pensions and other non-effective charges for men, &c. - -	—	487 7 4
15	Civil superannuation, compensation and gratuities - -	2,536 1 9	—
—	Balances irrecoverable and claims abandoned - - -	—	5,444 16 8
	Total - - -	295,633 1 9	245,735 8 2
	NET SURPLUS -	£49,897 13 7	

CHAPTER 78.

An Act to extend the powers of the Scottish Universities to make Ordinances for purposes connected with the present War. [29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provisions for empowering Scottish Universities to make emergency Ordinances.

1.—(1) It shall be lawful for the University Courts of the four Scottish Universities to submit to His Majesty in Council a joint representation showing that it is expedient that specified provisions of Ordinances applicable to one or more of the Universities, or to the Joint Board of Examiners, should be modified or suspended in their application to graduates, students, or intending students, who are, or have been, engaged in naval, military, or other public service connected with the present war.

(2) It shall be lawful for His Majesty in Council to refer such joint representation to the Scottish Universities Committee of the Privy Council, who shall report to His Majesty thereon.

(3) It shall be lawful for His Majesty in Council to approve such joint representation or any part thereof, and by Order to confer, under such conditions and for such time as may in the said Order be prescribed, upon each University Court, and upon the Joint Board of Examiners, the power, after consultation with the Senatus Academicus concerned, to modify or suspend the application to such graduates, students, or intending students, of the specified provisions, or any of them.

Short title.

2. This Act may be cited as the Scottish Universities (Emergency Powers) Act, 1915.

CHAPTER 79.

An Act to amend the Trading with the Enemy Acts, 1914. [29th July 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Payment of dividends, &c. payable to enemy. 5 & 6 Geo. 5. c. 12.

1.—(1) Section two of the Trading with the Enemy Amendment Act, 1914 (hereinafter referred to as the principal Act), which relates to the payment to the custodian of dividends, interest, and profits payable to or for the benefit of enemies,

shall extend to sums which, had a state of war not existed, would have been payable and paid in the United Kingdom to enemies—

(*a*) in respect of interest on securities issued by or on behalf of the Government or the Government of any of His Majesty's Dominions or any foreign Government, or by or on behalf of any corporation or any municipal or other authority whether within or without the United Kingdom; and

(*b*) by way of payment off of any securities which have become repayable on maturity or by being drawn for payment or otherwise, being such securities as aforesaid or securities issued by any company;

and in the case of such sums as aforesaid (other than sums in respect of the payment off of securities issued by a company) the duty of making payments to the custodian and of requiring payments to be made to him and of furnishing him with particulars shall rest with the person, firm or company through whom the payments in the United Kingdom are made, and the said section shall apply accordingly, and as if for references therein to the date of the passing of the principal Act there were substituted references to the date of the passing of this Act.

(2) Where the custodian is satisfied from returns made to him under section three of the principal Act that any such securities as aforesaid (including securities issued by a company) are held by any person on behalf of an enemy, the custodian may give notice thereof to the person, firm or company by or through whom any dividends, interest or bonus in respect of the securities or any sums by way of payment off of the securities are payable, and upon the receipt of such notice any dividends, interest or bonus payable in respect of, and any sums by way of payment off of, the securities to which the notice relates shall be paid to the custodian in like manner as if the securities were held by an enemy.

(3) For the purposes of this section "securities" includes stock, shares, annuities, bonds, debentures or debenture stock or other obligations.

Notification of bank balances, deposits, or debts due to enemies.

2.—(1) Subsection (1) of section three of the principal Act, which requires returns to be made to the custodian of property held or managed for or on behalf of enemies, shall apply to balances and deposits standing to the credit of enemies at any bank, and to debts to the amount of fifty pounds or upwards, which are due, or which, had a state of war not existed, would have been due, to enemies, as if such bank or debtor were a person who held property on behalf of an enemy, and as if for references to the passing of the principal Act there were substituted references to the passing of this Act.

(2) The duty of making returns under the said subsection as so amended shall extend to companies as if the expression

"person" included company, and if any company fails to comply with the provisions of that subsection as so amended every director, manager, secretary, or officer of the company who is knowingly a party to the default shall, on summary conviction, be liable to a fine not exceeding one hundred pounds, or to imprisonment with or without hard labour for a term not exceeding six months, or to both such a fine and imprisonment, and in addition to a further fine not exceeding fifty pounds for every day during which the default continues.

(3) The custodian shall keep a register of all property returns whereof have been made to him under section three of the principal Act as amended by this section, and such register may be inspected by any person who appears to the custodian to be interested as a creditor or otherwise.

Invalidity of assignment of debts by enemies or transfers of shares in company, &c.

3. Sections six, seven, and eight of the principal Act shall apply as if the expression "enemy," where used in those sections, included any person or body of persons who is an enemy or treated as an enemy under any proclamations relating to trading with the enemy for the time being in force:

Provided that the said sections six and eight shall apply as respects persons who were not enemies, nor treated as enemies, under the proclamations in force on the nineteenth day of November nineteen hundred and fourteen, with the substitution of references to the nineteenth day of July nineteen hundred and fifteen for references to the said nineteenth day of November, and of references to the date of the passing of this Act for references to the date of the passing of the principal Act, and except in cases where a licence has been duly granted exempting any particular transaction from the provisions of any of the said sections.

Limitation on powers of certain companies to commence proceedings. 4 & 5 Geo. 5. c. 87.

4. No action shall be brought or other proceedings commenced by a company the books and documents of which are liable to inspection under subsection (2) of section two of the Trading with the Enemy Act, 1914, unless notice in writing has previously been given by the company to the custodian of their intention.

Short title and construction.

5. This Act may be cited as the Trading with the Enemy Amendment Act, 1915, and shall be construed as one with the principal Act; and the Trading with the Enemy Act, 1914, the Trading with the Enemy Amendment Act, 1914, and this Act shall be cited together as the Trading with the Enemy Acts, 1914 and 1915.

CHAPTER 80.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and sixteen.

[29th September 1915.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 250,200,000*l.* out of the Consolidated Fund for the service of the year ending 31st March 1916.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and sixteen, the sum of two hundred and fifty million two hundred thousand pounds.

Power for the Treasury to borrow.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole two hundred and fifty million two hundred thousand pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March one thousand nine hundred and sixteen, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

3. This Act may be cited as the Consolidated Fund (No. 4) Act, 1915.

CHAPTER 81.

An Act to enable a Loan to be raised in conjunction with the French Government in the United States of America. [13th October 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to raise a loan in America.

1.—(1) Any sum not exceeding five hundred million dollars may be raised if the Treasury think fit by the issue of securities at such rate of interest and subject to such conditions as to repayment, redemption, or otherwise as they think fit in the United States of America, and may be raised in conjunction with the Republic of France and subject to such conditions as may be agreed upon between His Majesty's Government and the Government of the Republic of France, either as to the raising or the application of the loan, and may be raised on the joint and several obligation of the two Governments.

(2) For the purposes of the charge on the Consolidated Fund, and for the purposes of any limit on the amount of borrowing, the powers of raising money given by this Act shall, so far as they extend, be deemed to be in substitution for the existing powers of raising money for any supply granted to His Majesty.

(3) Any securities issued for the purposes of any such loan in the United States of America, except where they are held by persons domiciled in the United Kingdom or by British subjects ordinarily resident in the United Kingdom, shall not be liable to any taxation, present or future.

Short title.

2. This Act may be cited as the American Loan Act, 1915.

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CHAPTER 82.

An Act to alter certain statutory limits of Postal and Telegraph Rates; and for purposes connected therewith. [28th October 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Variation of statutory limits for post and telegraph rates.

1. For the purpose of enabling effect to be given to certain proposed changes of postal and telegraph rates, the following variations shall have effect with respect to the statutory limits applicable to those rates:—

(*a*) A maximum rate of a halfpenny for every six ounces in weight or for every fractional part of six ounces

over and above the first or any additional six ounces up to such maximum weight as may be fixed by the Postmaster-General shall be substituted for the maximum rate of one halfpenny for each inland registered newspaper under subsection (1) (*b*) (iii) of section two of the Post Office Act, 1908; and

8 Edw. 7. c. 48.

(*b*) A maximum rate of ninepence for the first twelve words of each ordinary written telegram or for an ordinary written telegram of less than twelve words shall be substituted for the maximum rate of sixpence under section two of the Telegraph Act, 1885; and

48 & 49 Vict. c. 58.

(*c*) The maximum rates for press telegrams under section sixteen of the Telegraph Act, 1868, shall be varied as follows:—

31 & 32 Vict. c. 110.

A rate of a shilling for every eighty words shall be substituted for the rate of a shilling for every hundred words transmitted between the hours of six p.m. and nine a.m. to a single address;

A rate of a shilling for every sixty words shall be substituted for the rate of a shilling for every seventy-five words transmitted between the hours of nine a.m. and six p.m. to a single address;

An additional charge of threepence for every eighty or sixty words, as the case may be, of the same telegraphic communication transmitted to an additional address shall be substituted for the rate of twopence for every hundred or seventy-five words as the case may be;

but rates for press telegrams shall not be raised above the limits existing immediately before the passing of this Act until after the thirty-first day of December nineteen hundred and sixteen.

Supplemental provisions.

2.—(1) Any contract for the supply or delivery to subscribers of newspapers, periodicals, or other publications at rates including postage, so far as the contract includes the supply or delivery of publications the rate of postage on which is increased after the passing of this Act and before the first day of January nineteen hundred and sixteen, may be determined by any party to the contract as from the date on which the rate is raised by notice given to the other party to the contract not later than fourteen days after the increase of rate takes effect.

(2) In computing, for the purposes of subsection (2) of section two of the Post Office (Parcels) Act, 1882, the amount of the remuneration to railway companies for the carriage of parcels, there shall be excluded from the gross receipts of the Postmaster-General any increase in those receipts which is attributable to any increase in the rates of postage for parcels which is made after the passing of this Act and during the continuance of the present war and a period of six months thereafter.

45 & 46 Vict. c. 74.

3. This Act may be cited as the Post Office and Telegraph Act, 1915, and may be cited with the Post Office Act, 1908, as the Post Office Acts, 1908 to 1915, and so far as relates to Telegraphs, with the Telegraph Acts, 1863 to 1913. Short title.

CHAPTER 83.

An Act to make better provision as to the pensions, grants, and allowances made in respect of the present war to officers and men in the Naval and Military Service of His Majesty and their dependants, and the care of officers and men disabled in consequence of the present war, and for purposes connected therewith.

[10th November 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) For the purposes herein-after mentioned relating to pensions and grants and allowances made in respect of the present war to officers and men in the naval and military services of His Majesty and their wives, widows, children and other dependants, and the care of officers and men disabled in consequence of the present war there shall be constituted a Statutory Committee of the Royal Patriotic Fund Corporation (herein-after referred to as the Corporation) consisting of twenty-seven members, appointed as herein-after mentioned. Establishment of Statutory Committee of Royal Patriotic Fund Corporation.

(2) Of the said twenty-seven members—

twelve (of whom one shall be chairman and one vice-chairman and some shall be women and not less than two shall be representatives of labour) shall be appointed by His Majesty;

one shall be appointed by the Treasury;

one shall be appointed by the Admiralty;

one shall be appointed by the Army Council;

one shall be appointed by the National Health Insurance Joint Committee;

one shall be appointed by the Local Government Board;

one shall be appointed by the Local Government Board for Scotland;

one shall be appointed by the Local Government Board for Ireland;

two shall be appointed by the Soldiers and Sailors Families Association;

six (of whom some shall be women) shall be appointed by the General Council of the Corporation.

(3) Four of the members appointed by the General Council of the Corporation shall be appointed from amongst the members of the Corporation, but, save as aforesaid, it shall not be necessary that the persons appointed to be members of the Statutory Committee should at the time of appointment be members of the Corporation.

(4) There may be paid to the chairman or vice-chairman, out of moneys provided by Parliament, such salary as the Treasury may determine.

(5) All other expenses of the Committee (including such travelling expenses to members of the Committee as the Committee may determine) shall be paid out of the funds at the disposal of the Committee.

(6) Seven members of the Statutory Committee shall constitute a quorum.

The Statutory Committee may appoint sub-committees consisting either wholly or partly of members of the Statutory Committee, and may delegate to such sub-committees, with or without any restrictions or conditions as they think fit, any of their powers and duties under this Act.

Subject to the foregoing provisions of this subsection, the Committee shall regulate their own procedure.

(7) The term of office of a member of the Statutory Committee shall be three years; but a retiring member shall be eligible for re-appointment:

Provided that if a member required to be appointed from amongst the members of the Corporation ceases for two months to be a member of the Corporation otherwise than as a member of the Statutory Committee he shall at the end of that period vacate his office as member of the Statutory Committee, and that a person appointed to fill a casual vacancy shall continue in office so long only as the person in whose place he was appointed would have continued in office.

(8) The Statutory Committee may, with the consent of the Treasury, appoint and employ a secretary, assistant secretaries, and such other clerks and servants as they may require, and may pay out of funds at their disposal to such secretary, assistant secretaries, clerks and servants, such salaries or remuneration as they, with the consent of the Treasury, may determine, and may with like consent establish a scheme of pensions for persons in their permanent employment or grant pensions to such persons on retirement.

Establishment of local committees.

2.—(1) For the purpose of assisting the Statutory Committee in the execution of their duties, a local committee shall be established for every county and county borough, and for every borough or urban district having a population of not less than fifty thousand the council of which so desires, and for any other borough or urban district for which the Statutory

Committee, on the application of the council thereof, considers it desirable that, having regard to the special circumstances of the case, a separate local committee should be established.

(2) The constitution of a local committee shall be such as may be determined by a scheme framed by the council of the county or borough or urban district and approved by the Statutory Committee; so, however, that every such scheme shall provide—

(*a*) for the appointment by the council of the county or borough or urban district of at least a majority of the local committee; but the members so appointed by the council need not be members of the council; and

(*b*) for the appointment by the local committee from amongst their own number of a chairman; and

(*c*) for the inclusion of women and representatives of labour among the members of the local committee.

(3) If within such time, not being less than one month, as may be allowed by the Statutory Committee, the council does not frame a scheme or such a scheme as the Statutory Committee approve, the Statutory Committee may themselves frame a scheme which shall have a like effect as if it were framed by the council and approved by the Statutory Committee.

(4) The scheme, in the case of a county, may provide for the division of the county into districts and the appointment of a sub-committee for each such district, which sub-committees are herein-after referred to as district committees, so, however, that every borough and urban district within the county having a population of not less than twenty thousand, and in the case of the county of London, the city of London and each metropolitan borough, shall be a separate district, and that the council thereof shall have the right of appointing at least a majority of the members of the district committee, and in the appointment of every such district committee some of the members appointed shall be women.

Such a district committee may, but need not, contain any members of the local committee.

(5) A scheme regulating the constitution of any such local committee or district committee as aforesaid shall provide for the substantial representation on the local or district committee of persons who have within the area either as members of the Soldiers and Sailors Families Association, or the Soldiers and Sailors Help Society, or otherwise, been performing functions similar to those to be performed by local committees under this Act.

(6) For facilitating the preparation of such schemes as aforesaid the Statutory Committee shall as soon as practicable prepare and issue forms of model schemes.

(7) A local committee or district committee may also appoint sub-committees, either for any special purposes or for any special parts of their area, and any such committee may consist either wholly or partly of members of the local or district committee, and in particular may appoint a special committee which shall include representatives of employers and of labour for the care of disabled officers and men.

(8) Any two or more local committees may combine together for the joint exercise of any of their powers and duties under this Act, and may for that purpose appoint a joint committee, and may agree as to the proportions in which the several local committees represented on the joint committee are to contribute towards the expenses of such joint committee.

(9) A local committee may delegate to any district committee, and a local committee or district committee may delegate to any sub-committee, whether appointed for any particular locality or not, any of its powers and duties under this Act, whether with or without any restrictions or conditions as it may think fit.

(10) Any expenses of a local committee (except so far as they may be paid by the Statutory Committee) shall be paid out of funds at the disposal of the local committee.

(11) In the application of this section to Scotland "county borough" means a royal, parliamentary, or police burgh with a population of not less than fifty thousand, and "borough" or "urban district" means a royal, parliamentary, or police burgh.

Functions of Statutory Committee.

3.—(1) The functions of the Statutory Committee shall be—

(*a*) to decide any question of fact on the determination of which the amount of a pension or grant payable out of public funds to a dependant, other than a widow or child, may depend;

(*b*) to frame regulations for supplementary grants in cases where, owing to the exceptional circumstances of the case, the pension or grant or separation allowance payable out of public funds seems to the Committee to be inadequate;

(*c*) out of funds at their disposal, to supplement pensions and grants and separation allowances payable out of public funds, so, however, that no such supplementary grant shall be made except in accordance with such regulations as aforesaid;

(*d*) out of funds at their disposal, to make grants or allowances in cases where no separation allowances or pensions are payable out of public funds;

(*e*) out of funds at their disposal, to make advances on account of pensions or grants or separation allowances due to any persons, out of public funds during any interval before the payment thereof actually commences, or during which the payment thereof has been accidentally interrupted;

(*f*) to decide, in any particular case, whether, as respects a wife, widow, child, or other dependant, any pension or grant or separation allowance and, as respects an officer or man, any supplementary grant has, under the regulations subject to which it was granted, become forfeited ;

(*g*) to decide, as between two or more claimants to any pension or grant or separation allowance, which, if any, of the claimants is entitled thereto ;

(*h*) to determine any other questions in relation to pensions or grants or separation allowances which may be referred to the Committee by the Admiralty or Army Council ;

(*i*) to administer any funds which may be placed at the disposal of the Committee by the Corporation or by local committees or by any society or other organisation having funds applicable to the making of grants of the nature of those which the Committee are authorised to make, or otherwise ;

(*j*) to make provision for the care of disabled officers and men after they have left the service, including provision for their health, training, and employment ;

(*k*) to make grants in special cases for the purpose of enabling widows, children, and other dependants of deceased officers and men to obtain training and employment ;

(2) The Statutory Committee may refer to any local committee for their consideration and advice any question pending before the Statutory Committee, and may request any local committee to collect and furnish them with any information they may require with respect to any matter, and may delegate to any local committee the distribution within their area of any grants made by the Statutory Committee, and may pay or contribute towards the payment of the expenses incurred by the local committee in respect of any of the matters aforesaid.

(3) For the purpose of making provision for the care of disabled officers and men, the Statutory Committee shall appoint a special sub-committee which shall include representatives of employers and of labour.

(4) Paragraphs (8), (9), (10), and (11), of the First Schedule to the Patriotic Fund Reorganisation Act, 1903 (relating to funds, accounts and audit) shall apply in respect of the Statutory Committee in like manner as they apply in respect of the Corporation. 3 Edw. 7. c. 20.

(5) The Statutory Committee shall in each year make a report of their proceedings to His Majesty.

(6) Pending the appointment of a local committee or sub-committee for any area, the Statutory Committee may make arrangements with any organisation for the performance within

that area by the organisation of the functions of the local committee mentioned in paragraphs (*a*), (*b*), and (*c*) of section four of this Act.

(7) For the purpose of enabling the Statutory Committee to discharge their functions the Admiralty and the Army Council shall on request supply the Statutory Committee with such particulars as they may require with regard to any payments made by them to any officer, sailor, marine, soldier, widow, child, or dependant, and the Statutory Committee may on request duly communicate all such and similar information to any charitable body legitimately interested in the case of any officer, sailor, marine, soldier, widow, child, or dependant.

Functions of local committees.

4. The functions of local committees shall be—

(*a*) to inquire into any case referred to them by the Statutory Committee, and to report to the Statutory Committee their advice and recommendations with respect thereto;

(*b*) to collect and furnish to the Statutory Committee such information as may be required by the Statutory Committee with respect to any matter, and to furnish applicants for pensions or grants or separation allowances with information and advice, especially in the event of payment being unduly delayed;

(*c*) to distribute any supplementary grants made by the Statutory Committee, the distribution of which has been delegated to the local committee;

(*d*) out of any funds at their disposal for the purpose, to make contributions towards the funds administered by the Statutory Committee, to increase pensions, grants, and separation allowances and to make grants or allowances where no pensions, grants, or separation allowances are otherwise payable;

(*e*) out of funds at their disposal, to make advances on account of pensions or grants or separation allowances due to any persons out of public funds during any interval before the payment thereof actually commences, or during which the payment thereof has been accidentally interrupted;

(*f*) to make provision, subject to the approval of the Statutory Committee, for the care of disabled officers and men after they have left the service, including provision for their health, training, and employment;

(*g*) to solicit and receive from the public contributions towards any such purposes as aforesaid.

5. If any person, with a view to obtaining any such pension or grant or allowance as aforesaid, makes or uses, or has before the passing of this Act made or used, any declaration, application, or other written statement knowing the same to be false, he shall be guilty of an offence, and shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding five pounds, and for the purpose of proceedings in respect of any such offence the offence shall be deemed to have been committed either at the place where it was actually committed or at the place where the offender may happen to be, and any declaration on an appropriate official form bearing a stamp purporting to be the office stamp of the Admiralty or Army Council, or any sub-department thereof, with a date subsequent to that on which the declaration purports to have been signed, shall be evidence that the declaration has been used with such view as aforesaid unless the contrary is proved. Summary penalty for false declaration.

6.—(1) Any lord mayor or mayor, lord provost or provost, who is as such a member of the Corporation may, if he is unable or unwilling to act as a member thereof, appoint some other person in his place to be a member of the Corporation; and any person so appointed shall hold office so long as the person by whom he is appointed holds his office as lord mayor, mayor, lord provost or provost. Provisions as to Corporation.

(2) In addition to the persons whom the general council of the Corporation may co-opt under the Patriotic Fund (Reorganisation) Act, 1903, the council may co-opt as members thereof any number (not exceeding thirteen) of persons having special experience in work of the character to be performed by the Corporation; but in exercising this power of co-option the council shall include some women as well as men amongst the members so co-opted.

(3) Every member of the Statutory Committee appointed under this Act shall, by virtue of his office as member of that Committee, be a member of the Corporation; but shall not as such be entitled to act or vote in respect of any question arising before the Corporation as regards matters dealt with by the Corporation independently of this Act.

(4) The purposes of this Act shall be included amongst the purposes for which the Corporation may solicit and receive contributions from the public and donations of property.

(5) Save as otherwise expressly provided, nothing in this Act shall affect the constitution or powers and duties of the Corporation.

7. This Act may be cited as the Naval and Military War Pensions, &c., Act, 1915. Short title.

CHAPTER 84.

An Act to amend the Law with respect to Clubs during the continuance of the present war. [10th November 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to order clubs to be closed during specified hours.

1.—(1) The Secretary of State may, by order, direct that all clubs (whether or not intoxicating liquor is supplied therein) within any such area as may be specified in the order shall be closed during such hours as may be so specified (commencing at an hour not earlier than that at which premises, licensed for the sale of intoxicating liquors by retail situate in the same place as such clubs, are for the time being required to be closed and ending at an hour not later than six o'clock in the morning):

Provided that the local authority for the purpose of this Act may grant a licence exempting from the provisions of the order, either absolutely or subject to such conditions or limitations as may be specified in the licence—

(*a*) any club on any special occasion;

(*b*) any club where it is proved that, owing to the nature and hours of employment of members thereof, or for any other special reason, it is expedient that the club should be so exempted.

(2) If any club is kept open or the club premises or any part thereof are used in contravention of any such order, or, in cases where such a licence as aforesaid has been granted, in contravention of any condition of the licence, the club shall be liable to be declared an illegal club, and—

(*a*) the occupier of the premises and any person having control of the club, and the secretary or other principal officer of the club shall each be liable on summary conviction to imprisonment with or without hard labour for a term not exceeding three months, unless he proves that the contravention was committed without his knowledge or consent, and the court may in addition by order prohibit him from taking part or assisting in the management of or being interested in any club; and

(*b*) any other person proved to have been on the club premises in contravention of the order or the conditions of the licence shall be liable on summary conviction to a fine not exceeding five pounds, unless he proves that he resided on the club premises or that he was not a member or a guest of a member of the club.

(3) If any person so prohibited as aforesaid takes part or assists in the management of or is interested in a club, the club shall be liable to be declared an illegal club.

Prohibition against use of clubs by prostitutes and gamesters.

2. If any person having control of a club knowingly permits it to be used as an habitual resort or place of meeting of reputed prostitutes, whether the object of their so resorting or meeting is or is not prostitution, or of persons who have been convicted of offences under the enactments relating to gaming or betting or gaming or betting houses, he shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for a term not exceeding three months.

Inspection of clubs.

3.—(1) With a view to securing the observance of this Act all clubs within the area specified in any order made by the Secretary of State under this Act may be inspected by any officer of police not below the rank of inspector, and, in the case of clubs which there is reason to believe are frequented by members of any of His Majesty's forces, by any person authorised for the purpose by the competent naval or military authority under the Defence of the Realm (Consolidation) Regulations, 1914, and for that purpose any such officer or person shall at all times, whether by day or night, have a right to enter, if need be by force, any premises within the area which he has reason to suspect are being used as a club, and to examine, search, and inspect the same, or any part thereof, and if he has reason to suspect that an offence against this Act has been or is being committed thereon, or that the club is otherwise being carried on contrary to law, may take the names and addresses of all persons found therein, and may seize any books and papers relating to the business of the club.

(2) If the officer of police or other person making the inspection has reasonable ground to suppose that any name or address given to him is false, he may require evidence of the correctness of the name and address, and may, if the person fails upon demand to give his name or address or the required evidence, apprehend him without warrant, and take him, as soon as practicable, before a justice of the peace, and if any person required under this section to give his name and address fails to give the same or gives a false name or address, or gives false evidence with respect to the name and address, he shall be liable on summary conviction in respect of each offence to a fine not exceeding five pounds.

(3) If any person obstructs or delays any such officer of police or person in the execution of his duties under this section, he shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment, with or without hard labour, for a term not exceeding three months, and if the entry of any such officer or person to any premises is delayed by locked doors or other obstruction, the club shall be liable to be declared

an illegal club, unless it is proved that there was good reason for locking the doors or such other obstruction.

(4) Where any police officer or person duly authorised by the competent naval or military authority has, in pursuance of the powers conferred by this Act, entered any premises which are or which he has reason to suspect are being used as a club, and it appears to the officer or person that the premises are being used for the purposes of unlawful gaming, the officer or person may exercise all such powers as are conferred by the provisions of the Gaming Act, 1845, or section forty-eight of the Metropolitan Police Act, 1839, or section thirty-two of the City Police Act, 1839, on an officer of police who has entered premises in pursuance of an authority or warrant granted thereunder by the Commissioner of Police for the metropolis, or the Commissioner of City Police, or a justice.

8 & 9 Vict. c. 109. 2 & 3 Vict. c. 47. 2 & 3 Vict. c. xciv.

Power to close illegal clubs.

4.—(1) If on complaint in writing it appears to a court of summary jurisdiction that a club is liable to be declared an illegal club within the meaning of this Act, the court may make an order declaring the club to be an illegal club and directing that the club shall be closed, and that the premises occupied by the club shall not be used for the purposes of any club during the continuance of the present war or any other period specified in the order, so, however, that if the period so specified extends beyond the duration of the war the order shall cease to have effect on the termination of the war.

(2) If the court grant a summons on the complaint, the summons shall be served on the secretary (if any) of the club, and on such other person (if any) as the court may direct.

(3) Any person aggrieved by an order under this section may appeal to quarter sessions.

Provisions as to registration of new clubs. 10 Edw. 7. & 1 Geo. 5. c. 24.

5.—(1) Where during the continuance of the present war an application is made under the Licensing (Consolidation) Act, 1910, to register a new club under that Act, the clerk to whom the application is sent before registering the club shall send to the chief officer of police for the district a copy of the particulars required to be registered, and if, within fourteen days from the date when such copy is so sent, the chief officer of police sends to the clerk notice that he objects to the registration of the club on the ground of the character or antecedents of the secretary or of any promoter or any person taking part in the management of the club, the clerk shall give notice of the objection to the applicant and shall not register the club.

(2) Where the registration of a club has been so objected to, the applicant for registration may, by complaint in writing made within fourteen days of the time when he receives notice of the objection, appeal against the objection to a court for which the clerk to whom the application was sent acts, and the court, if satisfied that the objection taken by the chief officer of

police ought not to be sustained, may authorise the registration of the club.

(3) During the continuance of the present war there shall be included amongst the particulars required to be registered in connection with a new club under the Licensing (Consolidation) Act, 1910, the names and addresses of the promoters of the club, the proprietor (if any), and the persons taking part in the management of the club; and if any change takes place in the names and addresses of such persons as aforesaid, the secretary of the club shall forthwith communicate the change to the clerk by whom the particulars are registered, who shall make the necessary entry in the register, and failure to communicate such changes shall be a ground on which the club may be struck off the register.

(4) The persons whose names are for the time being registered as secretary, proprietor, promoters, or managers of the club shall be presumed to be such unless the contrary is proved.

Interpretation.

6. For the purposes of this Act—

The local authority shall be—

(*a*) in the Metropolitan Police District, the Commissioner of Police for the metropolis;

(*b*) in the City of London, the Commissioner of City Police;

(*c*) in any other place, a petty sessional court:

The expression "chief officer of police" means as respects the City of London the Commissioner of City Police and elsewhere has the same meaning as in the Police Act, 1890: 53 & 54 Vict. c. 45.

The proprietor, the manager, every member of the managing body (if any), and every other person who acts or assists in the management of a club, shall be deemed to be a person having control of the club:

The expression "secretary" in relation to a club has the same meaning as in the Licensing (Consolidation) Act, 1910.

Short title and duration.

7.—(1) This Act may be cited as the Clubs (Temporary Provisions) Act, 1915.

(2) This Act shall not extend to Scotland or Ireland.

(3) This Act shall remain in force during the continuance of the present war and no longer, but the expiration of this Act and of any order thereunder shall not prejudice or affect the institution or prosecution of any proceedings for any offence committed before such expiration.

CHAPTER 85.

An Act to suspend the operation of section twenty-seven of the Patents and Designs Act, 1907, during the continuance of the present war, and for a period of six months thereafter. [23rd November 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Suspension of 7 Edw. 7 c. 29. s. 27.

1. The operation of section twenty-seven of the Patents and Designs Act, 1907, shall be suspended during the continuance of the present war, and for a period of six months thereafter, and in reckoning the period of four years mentioned in the said section the period during which that section is suspended by virtue of this Act shall not be taken into account.

Short title.

2. This Act may be cited as the Patents and Designs Act (Partial Suspension) Act, 1915.

CHAPTER 86.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and sixteen, and to appropriate the Supplies granted in this Session of Parliament. [23rd November 1915.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

GRANTS OUT OF CONSOLIDATED FUND.

Issue of 400,000,000*l.* out of the Consolidated Fund.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the

service of the year ending on the thirty-first day of March one thousand nine hundred and sixteen, the sum of four hundred million pounds.

Power for the Treasury to borrow.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole four hundred million pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March one thousand nine hundred and sixteen, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

APPROPRIATION OF GRANTS.

Appropriation of sums voted for supply services.

3. All sums granted by this Act and the other Act mentioned in Schedule (A.) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of six hundred and fifty million two hundred thousand pounds are appropriated, and shall be deemed to have been appropriated as from the date of the passing of the Acts mentioned in the said Schedule (A.), for the services and purposes expressed in Schedule (B.) annexed hereto.

The schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

Short title.

4. This Act may be cited for all purposes as the Appropriation (No. 2) Act, 1915.

ABSTRACT of SCHEDULES (A.) and (B.) to which this Act refers.

SCHEDULE (A.)

	£
Grants out of the Consolidated Fund - - - -	650,200,000

SCHEDULE (B.)—APPROPRIATION OF GRANTS.

1915–1916.	Supply Grants. £	s.	d.
PART 1. Civil Services (Supplementary), 1915–16 -	200,000	0	0
„ 2. Naval and Military Operations, &c. (Supplementary Votes of Credit), 1915–16 - - -	650,000,000	0	0
Total - - - - -	650,200,000	0	0

SCHEDULE (A.)

GRANTS OUT OF THE CONSOLIDATED FUND.

For the service of the year ending on the 31st day of March 1916:—

	£
Under Act 5 & 6 Geo. 5. c. 80 - - - - -	250,200,000
Under this Act - - - - - -	400,000,000
Total - - - - -	650,200,000

SCHEDULE (B). PART 1.

Civil Services (Supplementary), 1915-16.

SCHEDULE (B.)—PART 1.

CIVIL SERVICES (SUPPLEMENTARY), 1915–1916.

SCHEDULE of Supplementary Sums granted to defray the charges for the Services herein particularly mentioned for the Year ending on the 31st day of March 1916, viz.:—

CIVIL SERVICES.

CLASS II.

	Sum not exceeding £
For His Majesty's Foreign and other Secret Services -	200,000

SCHEDULE (B). PART 2.

Naval and Military Operations, &c. (Supplementary Votes of Credit).

SCHEDULE (B.)—PART 2.

NAVAL AND MILITARY OPERATIONS, &c. (SUPPLEMENTARY VOTES OF CREDIT).

	£
For defraying the Expenses which may be incurred during the year ending the 31st day of March 1916, for General Navy and Army Services in so far as specific provision is not made therefor by Parliament; for the conduct of Naval and Military Operations; for all measures which may be taken for the Security of the Country; for assisting the Food Supply, and promoting the Continuance of Trade, Industry, Business and Communications, whether by means of insurance or indemnity against risk, the financing of the purchase and re-sale of foodstuffs and materials, or otherwise; for Relief of Distress; and generally for all expenses, beyond those provided for in the Ordinary Grants of Parliament, arising out of the existence of a state of war - - - - - -	650,000,000

CHAPTER 87.

An Act to enable Persons during the continuance of the War, and for a period of two years thereafter, to be appointed or admitted to the Indian Civil Service without examination. [23rd December 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Power to appoint to Indian Civil Service without examination.

1.—(1) The Secretary of State in Council may, with the advice and assistance of the Civil Service Commissioners, make rules providing for the admission and appointment to the Indian Civil Service by the Secretary of State in Council, during the continuance of the present war, and for a period not exceeding two years thereafter, of British subjects possessing such qualifications with respect to age and otherwise as may be prescribed by the rules, notwithstanding that they have not been certified as being entitled for appointment as the result of examination in accordance with the regulations and rules made under section thirty-two of the Government of India Act, 1858, and section ninety-seven of the Government of India Act, 1915 :

21 & 22 Vict. c. 106.
5 & 6 Geo. 5. c. 61.

Provided that—

(*a*) not less than one-fourth of the persons admitted to the Indian Civil Service during such period as aforesaid shall be persons who have been so certified as aforesaid ; and

(*b*) a person shall not be appointed to the Indian Civil Service under the rules made under this section unless the Secretary of State in Council has, with the advice and assistance of the Civil Service Commissioners, satisfied himself, in such manner as may be prescribed by the rules, that such person possesses the necessary educational qualifications.

(2) The provisions as to the laying before Parliament of regulations and rules made under the said sections thirty-two and ninety-seven shall apply to the rules made under this section.

Short title.

2. This Act may be cited as the Indian Civil Service (Temporary Provisions) Act, 1915.

CHAPTER 88.

An Act to provide for the Regulation of Street Collections in Burghs in Scotland. [23rd December 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Regulation of street collections.

1.—(1) The magistrates of any burgh in Scotland may make regulations with respect to the places where and the conditions under which persons may be permitted in any street or public place within the burgh to collect money or sell articles for the benefit of charitable or other purposes, and any person who shall act in contravention of any such regulation shall be guilty of an offence against this Act, and, on conviction in any court of summary jurisdiction having jurisdiction within the burgh, shall be liable to a penalty not exceeding forty shillings.

(2) Regulations made under this Act shall not apply to the selling of articles in any street or public place when the articles are sold in the ordinary course of trade and for the purpose of earning a livelihood.

(3) Regulations made under this Act shall not come into operation until they have been confirmed by the Secretary for Scotland and published for such time and in such manner as the Secretary for Scotland may direct.

Interpretation, short title, and extent.

55 & 56 Vict. c. 55.

2.—(1) In this Act the expression "burgh" includes royal burgh, parliamentary burgh and police burgh, and the expression "street" has the same meaning as in the Burgh Police (Scotland) Act, 1892.

(2) This Act may be cited as the Street Collections Regulation (Scotland) Act, 1915, and shall extend to Scotland only.

CHAPTER 89.

An Act to grant certain duties of Customs and Inland Revenue (including Excise), to alter other duties, and to amend the law relating to Customs and Inland Revenue (including Excise) and the National Debt, and to make further provision in connexion with Finance. [23rd December 1915.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties hereinafter mentioned; and do therefore most humbly beseech

Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Part I.

Customs and Excise.

Increased duty on tea.

1. In lieu of the duty of Customs payable on tea imported into Great Britain or Ireland there shall, as from the twenty-second day of September, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, be charged, levied, and paid the following duty (that is to say):—

Tea, the pound - - - - one shilling.

Additional duties on cocoa.

2. In addition to the duties of Customs payable on cocoa imported into Great Britain or Ireland there shall, as from the twenty-second day of September, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, be charged, levied, and paid, the following additional duties, that is to say:—

		£	*s.*	*d.*
Cocoa - - -	the lb.	0	0	$0\frac{1}{2}$
Cocoa husks and shells -	the cwt.	0	1	0
Cocoa butter - -	the lb.	0	0	$0\frac{1}{2}$

Additional duties on coffee.

3. In addition to the duties of Customs payable on coffee imported into Great Britain or Ireland there shall, as from the twenty-second day of September, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, be charged, levied, and paid the following additional duties, that is to say:—

	£	*s.*	*d.*
Coffee (not kiln-dried, roasted or ground) the cwt.	0	7	0
Coffee (kiln-dried, roasted or ground) the lb.	0	0	1

Additional duties on chicory.

4.—(1) In addition to the duties of Customs payable on chicory imported into Great Britain or Ireland there shall, as from the twenty-second day of September, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, be charged, levied, and paid the following additional duties, that is to say:—

		£	*s.*	*d.*
Chicory, raw or kiln-dried -	the cwt.	0	6	7
Chicory, roasted or ground -	the lb.	0	0	1

(2) In addition to the duty of Excise payable on chicory there shall, as from the twenty-second day of September, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, be charged, levied, and paid the following additional duty, that is to say:—

		£	*s.*	*d.*
Chicory, raw or kiln-dried -	the cwt.	0	6	7

and so in proportion for any less quantity.

Additional Excise duty on coffee substitutes, &c.

5. In addition to the duty of Excise payable on any article or substance prepared or manufactured for the purpose of being in imitation of, or in any respect to resemble, or to serve as a substitute for coffee or chicory, and on any mixture of any such article or substance with coffee or chicory, there shall, as from the twenty-second day of September, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, be charged, levied, and paid the following additional duty, that is to say :—

	£	*s.*	*d.*
For every quarter of a pound of any such article, substance, or mixture which is sold or kept for sale in the United Kingdom - -	0	0	$0\frac{1}{4}$

Increased Customs duties on sugar, &c.

6. In lieu of the present Customs duties, drawbacks and allowance in respect of sugar, molasses, glucose and saccharin, there shall, as from the twenty-second day of September, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, be charged, levied, and paid the duties specified in the first column of the table set out in Part I. of the First Schedule to this Act, and there shall be paid and allowed the drawbacks and allowance set out in Part II. of that Schedule.

This provision shall not affect the continuance after the first day of August, nineteen hundred and sixteen, of the duties, drawbacks, and allowance existing before the twenty-second day of September, nineteen hundred and fifteen.

Excise duties on sugar, &c.

7.—(1) There shall, as from the twenty-second day of September, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, be charged, levied, and paid in respect of sugar, molasses, glucose, and saccharin made in Great Britain or Ireland the Excise duties specified in the second column of the table set out in Part I. of the First Schedule to this Act, and on a licence to be taken out annually by a manufacturer of sugar an Excise duty of one pound.

(2) There shall be paid and allowed in respect of the Excise duties under this section the drawbacks and allowance set out in Part II. of the First Schedule to this Act; and the provisions contained in Part III. of that Schedule shall have effect in respect of the duties under this section.

(3) The Excise duties charged by this section on glucose and saccharin shall be deemed to be in lieu of the Excise duties chargeable before the twenty-second day of September, nineteen hundred and fifteen, on those articles, but this section shall not affect the continuance after the first day of August, nineteen hundred and sixteen, of the duties and drawbacks existing before the twenty-second day of September, nineteen hundred and fifteen, in respect of glucose and saccharin.

Additional duties on dried fruit.

8.—(1) In addition to the duties of Customs payable on dried or preserved fruits imported into Great Britain or Ireland there shall, as from the twenty-second day of September, nineteen hundred and fifteen, until the first day of August, nineteen

hundred and sixteen, be charged, levied, and paid the following additional duties, that is to say :—

	£	s.	d.
Figs and fig cake, plums (commonly called French plums and prunelloes), prunes, all other dried or preserved plums, and raisins the cwt.	0	3	6

(2) Nothing in this section shall render any article liable to duty which was not liable to duty before the twenty-second day of September, nineteen hundred and fifteen.

Additional duties on tobacco.

9.—(1) In addition to the duties of Customs payable on tobacco imported into Great Britain or Ireland there shall, as from the twenty-second day of September, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, be charged, levied, and paid the additional duties specified in Part I. of the Second Schedule to this Act.

(2) In addition to the duties of Excise payable on tobacco grown in Great Britain or Ireland there shall, as from the twenty-second day of September, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, be charged, levied, and paid the additional duties specified in Part II. of the Second Schedule to this Act.

10 Edw. 7. & 1 Geo. 5. c. 8.

(3) Subsection (3) of section eighty-three of the Finance (1909–10) Act, 1910, and any other enactment relating to drawback on tobacco shall have effect as if the rates set out in Part III. of the Second Schedule to this Act were substituted for the rates set out in Part III. of the Fourth Schedule to the Finance (1909–10) Act, 1910, in cases where it is shown that the additional duty under this section has been paid.

Additional duty on motor spirit.

10.—(1) In addition to the duty of Customs payable on motor spirit imported into Great Britain or Ireland there shall, as from the twenty-second day of September, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, be charged, levied, and paid an additional duty at the rate of threepence per gallon.

(2) In addition to the duty of Excise payable on motor spirit made in Great Britain or Ireland there shall, as from the twenty-second day of September, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, be charged, levied, and paid an additional duty at the rate of threepence per gallon.

(3) The like allowances and repayments shall be allowed and made in respect of the additional duties under this section as are allowed and made in respect of the duties payable under section eighty-four of the Finance (1909–10) Act, 1910.

Additional medicine duties.
42 Geo. 3. c. 56.
44 Geo. 3. c. 98.
52 Geo. 3. c. 150.

11.—(1) In addition to the duties of Excise payable under the Medicines Stamp Act, 1802, the Stamp Act, 1804, and the Medicines Stamp Act, 1812, and any Act amending those Acts, there shall be charged, levied, and paid, as from the twentieth day of October, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, additional duties

of an amount equal in each case to that payable under the said Acts.

(2) There shall be charged, levied, and paid in respect of any medicine liable to duty under the said Acts, and on which that duty has been paid before the twenty-first day of October, nineteen hundred and fifteen, on the first sale thereof on or after that date, an Excise duty of an amount equal to the amount of duty originally paid; and if any person sells any medicine liable to the duty payable under this provision without paying the duty, he shall be liable to an Excise penalty of twenty pounds.

New import duties.

12.—(1) There shall, as from the twenty-ninth day of September, nineteen hundred and fifteen, until the first day of August, nineteen hundred and sixteen, be charged, levied, and paid on any of the following articles imported into Great Britain or Ireland the following duties of Customs (in this Act referred to as new import duties), namely:—

Motor cars, including motor bicycles and motor tricycles - - - - -	An amount equal to thirty-three and one-third per cent. of the value of the article.
Accessories and component parts of motor cars, motor bicycles, or motor tricycles other than tyres - - -	
Musical instruments, including gramophones, pianolas, and other similar instruments - - - - - -	
Accessories and component parts of musical instruments, and records and other means of reproducing music -	
Clocks, watches, and the component parts of clocks and watches - -	

Cinematograph films imported for the purpose of the exhibition of pictures or other optical effects by means of a cinematograph or other similar apparatus:—

	Per linear foot of the standard width of 1⅜ inches. £ s. d.
Blank film, on which no picture has been impressed, known as raw film or stock -	0 0 0½
Positives, *i.e.*, films containing a picture and ready for exhibition - - - -	0 0 1
Negatives, *i.e.*, films containing a photograph from which positives can be printed -	0 0 5

(2) The value of any article for the purposes of this section shall be taken to be the price which an importer would give for the article if the article were delivered, freight and insurance paid, in bond at the port of importation, and duty shall be paid on that value as fixed by the Commissioners of Customs and Excise.

In the case of a motor car (including a motor bicycle and a motor tricycle) imported with tyres attached, the value of the

tyres shall be deducted from the value of the car for the purpose of the charge of duty.

(3) Any dispute arising as to the proper rate of duty payable under this section shall, so far as any question of value is concerned, be referred to a referee appointed by the Treasury, and the decision of the referee shall be final and conclusive.

Sections thirty and thirty-one of the Customs Consolidation Act, 1876, shall, as respects any such dispute as to value, have effect as if an application for reference to a referee under this provision were substituted for the action or suit mentioned in that section. 39 & 40 Vict. c. 36.

(4) The procedure on any such reference shall be such as may be determined by rules made by the Treasury for the purpose.

If the decision of the referee involves any variation in the amount of duty payable, duty shall be paid or repaid, as the case may be, so as to correspond with that decision.

Supplemental provisions as to new import duties.

13.—(1) If it is proved to the satisfaction of the Commissioners of Customs and Excise that a new import duty has been duly paid in respect of any article, and that the article has not been used in Great Britain or Ireland, a drawback equal to the amount of duty paid shall be allowed on that article if exported as merchandise.

(2) Section six of the Customs and Inland Revenue Act, 1879, shall not apply to articles liable to the new import duties, and any such articles re-imported into Great Britain or Ireland after exportation therefrom shall be exempt from duty if it is shown to the satisfaction of the Commissioners of Customs and Excise either that the articles had not been imported previously to exportation or that no drawback of duty was allowed on exportation or that any drawback so allowed has been repaid to the Exchequer: 42 & 43 Vict. c. 21.

Provided that articles which have been imported and exported by way of transit only under bond shall not be deemed to have been imported or exported for the purposes of this provision.

(3) Where it is proved to the satisfaction of the Commissioners of Customs and Excise that any article is of a kind mainly used as an accessory or a component part which is liable to a new import duty but is imported for use for some other purpose or has been and is being exclusively used for some other purpose, the Commissioners shall, subject to such conditions (if any) as they think fit to impose, allow the article to be imported free of duty, or repay any duty paid on importation, as the case requires.

(4) Motor cars which are proved to the satisfaction of the Commissioners of Customs and Excise to be constructed and adapted for use, and intended to be used solely, as motor omnibuses, or motor ambulances, or in connection with the conveyance of goods or burden in the course of trade or husbandry, or by a local authority as fire engines or otherwise for the purposes of their fire brigade service, and chassis, component parts,

and accessories, which are so proved to be intended to be used solely for any such motor cars, shall not be charged with the new import duty:

Provided that in such cases as the Commissioners of Customs and Excise direct, cars, chassis, accessories, or parts, as the case may be, shall not be exempted unless they are marked or stamped in such manner as the Commissioners direct or approve with some distinctive stamp or mark showing that they are only to be so used.

On any transfer of a motor car or chassis which has been exempted under this provision, the transferor shall give notice of the transfer and of the name and address of the transferee to the Commissioners of Customs and Excise.

If, while the duty on motor cars, motor bicycles and motor tricycles, and accessories and component parts thereof under this Act remains in force, any person obliterates or removes any such distinctive stamp or mark, or uses any motor car, chassis, accessory, or part which has been exempted from duty under this provision for any purpose other than the purposes therein mentioned, or fails to give notice of a transfer in accordance with this provision, he shall be liable on summary conviction to a fine not exceeding one hundred pounds, or, at the option of the court, to imprisonment, with or without hard labour, for a term not exceeding six months.

If it is shown to the satisfaction of the Commissioners of Customs and Excise that any motor car, chassis, component part, or accessory has been, and is being, exclusively used for purposes which entitle it to an exemption from duty under this provision, the Commissioners may, subject to such conditions (if any) as they think fit to impose, repay any duty paid on the car, chassis, part or accessory on importation.

(5) The Treasury may by order exempt any articles mentioned in the order which are liable to any new import duty from that duty if they are satisfied that, having regard to the small value of the article, it is inexpedient that the duty should be charged.

(6) The Treasury may make regulations providing for the total or partial exemption for a limited period from the new import duty of any motor cars, including motor bicycles and motor tricycles, brought into Great Britain or Ireland by persons making only a temporary stay therein.

Allowance and repayment of duty in respect of motor spirit used by veterinary surgeons.

14. For the purpose of giving veterinary surgeons an allowance or repayment of half the amount of motor spirit duty, whether payable under section eighty-four of the Finance (1909–10) Act, 1910, or this Act, Part I. of the Fifth Schedule to the Finance (1909–10) Act, 1910, shall be read as if the following paragraph were added thereto, namely:—

"(5) To a motor car kept by a registered veterinary surgeon whilst it is being used by him for the purposes of his profession."

Restriction of delivery of

15.—(1) During the continuance of the present war and for a period of twelve months thereafter, the Treasury may by

order authorise the Commissioners of Customs and Excise, during any period named in the order not exceeding three months, to refuse to allow the delivery of goods or commodities for home use from ship's side or a warehouse on payment of duty in any cases where deliveries are demanded of amounts exceeding the deliveries which appear to the Commissioners to be reasonable deliveries in the circumstances. goods from bond.

(2) Any refusal of the Commissioners of Customs and Excise within one month before the twenty-first day of September, nineteen hundred and fifteen, to allow the delivery of goods or commodities is hereby confirmed, and shall be as valid as if an order of the Treasury had been in force under this section.

Where, by reason of the refusal of the Commissioners of Customs and Excise within the period aforesaid to allow the delivery of any goods any person has been prevented from performing any contract for the sale of, or otherwise in connection with, the goods in accordance with the terms thereof, that person shall be freed and discharged from all actions and proceedings under the contract for or in respect of his failure to perform the contract so far as due to the reason aforesaid.

16. The penalty under section one hundred and sixty-eight of the Customs Consolidation Act, 1876 (which relates to the punishment for false declarations, &c.) shall be increased from one hundred pounds to five hundred pounds; and the court may, if it thinks fit, in lieu of ordering the offender under that section to pay the penalty, order him to be imprisoned with or without hard labour for a term not exceeding two years. Increase of penalty for false declarations, &c.

17.—(1) The amount of the repayment to be made to the holder of a retailer's on-licence in cases to which subsection (1) of section nine of the Finance Act, 1914, (Session 2) (which provides for a reduction of licence duty where the sale of liquor is curtailed) as extended by section six of the Finance Act, 1915, applies, shall in all cases be one-fourth part of the whole duty payable by the licence holder in respect of his licence: Rate of reduction of licence duty where sale of liquor is curtailed. 5 & 6 Geo. 5. c. 7. 5 & 6 Geo. 5. c. 62.

Provided that when the suspension in respect of which the repayment is made ceases owing to the expiration of the Act under which the suspension has been imposed, or owing to the cessation of the war, during the currency of the year for which the licence is in force, the repayment to be made for the year shall be such proportion of one-fourth of the whole duty as the expired part of the year bears to the whole year.

(2) Where in any year the hours of sale of intoxicating liquor have been restricted in any area by an order made by the Central Control Board (Liquor Traffic) by virtue of regulations made in pursuance of the Defence of the Realm (Amendment) (No. 3) Act, 1915, the holder of a retailer's off-licence for premises within the area shall be entitled to the same repayment in respect of his licence duty as that to which the holder of a retailer's on-licence is entitled under subsection (1) of section nine of the Finance Act, 1914 (Session 2), as amended by this section. 5 & 6 Geo. 5. c. 42.

(3) The holder of a retailer's on-licence in Scotland shall not be entitled to the rebate of two-fifteenths of his licence duty under subsection (2) of section nine of the Finance Act, 1914 (Session 2), as well as to the repayment of one fourth part of his licence duty under this section; but nothing shall prevent the allowance of the rebate of two-fifteenths of his duty, after any repayment under this section ceases owing to the discontinuance of the suspension in respect of which that repayment is given.

Repeal of s. 2 of 2 & 3 Geo. 5. c. 8.

18. Section two of the Finance Act, 1912 (which relates to the distribution of payments on account of liquor licence duties in certain cases) shall cease to have effect and is hereby repealed, without prejudice to the validity of any payments made in pursuance of that section before the passing of this Act.

New tables for ascertaining weight and strength of spirits.

19.—(1) The revised and extended table, an original copy of which, marked Table I. (Spirits) has been signed by the Chairman of the Commissioners of Customs and Excise, and deposited in the office of the King's Remembrancer at the Royal Courts of Justice, shall be substituted, as the table to be used by Officers of Customs and Excise for the purpose of ascertaining the strength of spirits by means of Sikes's hydrometer, for the table of the Strengths of Spirits denoted by the said hydrometer which is required to be used for the purpose by the Spirits (Strength Ascertainment) Act, 1818.

58 Geo. 3. c. 28.

(2) Where by reason of the high temperature or strength of spirits the strength of the spirits cannot be ascertained by means of Sikes's hydrometer, the strength may be ascertained by means of a supplemental hydrometer (to be called Sikes's A. Hydrometer), a specimen of which, marked by the Chairman of the Commissioners of Customs and Excise, has been deposited in the office of the King's Remembrancer at the Royal Courts of Justice, and by means of the use of the supplemental table applicable to that hydrometer, an original copy of which, marked Table II. (Spirits), has been signed by the Chairman of the Commissioners and deposited in the same office.

43 & 44 Vict. c. 24.

(3) Section one hundred and fourteen of the Spirits Act, 1880 (which relates to the ascertainment by weighing of the quantity of spirits) shall be construed as if for a reference to the Table therein mentioned there were substituted a reference to the revised Tables, an original copy of which marked Tables III. and IV., has been signed by the Chairman of the Commissioners of Customs and Excise and deposited in the Office of the King's Remembrancer at the Royal Courts of Justice, and as if any reference to casks included a reference to other receptacles.

PART II.

INCOME TAX.

Increase of income tax.

20.—(1) In order, as far as may be, to provide for the collection of income tax for the last six months of the current income tax year at rates exceeding by forty per cent. the rates

at which it is charged under the Finance Act, 1915, the following provisions shall have effect :—

(*a*) The amount payable in respect of any assessment already made of income tax chargeable otherwise than by way of deduction shall be treated as increased by twenty per cent., and any authority to collect the tax, and remedy for non-payment of the tax, shall apply accordingly ; and

(*b*) An assessment of any such income tax not already made shall be made for an amount exceeding by twenty per cent. that for which it would have been made if this Act had not passed ; and

(*c*) Such deductions shall be made in accordance with regulations prescribed by the Commissioners of Inland Revenue in the case of dividends, interest, or other annual sums (including rent) due or payable after the fifth day of October, nineteen hundred and fifteen, as will make the total amount deducted in respect of income tax for the year equal to that which would have been deducted if income tax for the year had been at the rate of three shillings ; and

(*d*) Subsection (1) of section fourteen of the Revenue Act, 1911, shall apply in cases where no further payment in respect of dividends, interest, or other annual sums is made after the fifth day of October nineteen hundred and fifteen and before the 6th day of April nineteen hundred and sixteen as if this Act were the Act imposing income tax for the year, and as if three shillings were the rate ultimately charged for the year ; 1 & 2 Geo. 5. c. 2.

(*e*) Where the amount of any exemption, relief, or abatement under the Income Tax Acts is to be determined by reference to the amount of income tax on any sum, the amount of the tax shall be calculated at three shillings, with a proportionate reduction where relief is granted under section six of the Finance Act, 1914, as amended by section ten of the Finance Act, 1915 ; and where income tax is payable in respect of a part only of a year, the tax shall be deemed to be at the rate of three shillings. 4 & 5 Geo. 5. c. 10.

(2) If any individual who has been assessed or charged to income tax claims and proves in manner provided by the Income Tax Acts that his actual income from all sources is less by more than ten per cent. than the income on which he has been so assessed or charged, he shall be entitled to repayment of any additional tax paid by him owing to the increase in the rate of tax effected by this section in accordance with the table set out in the Third Schedule to this Act.

3 & 4 Geo. 5. c. 3.

(3) For the purpose of the Provisional Collection of Taxes Act, 1913, or of continuing income tax for the future income tax year, the rate of income tax for the current year shall be deemed to be three shillings and sixpence.

Reduction of exemption and abatements.

5 & 6 Vict. c. 35.

57 & 58 Vict. c. 30.

21.—(1) The exemption granted under section one hundred and sixty-three of the Income Tax Act, 1842, as extended by section thirty-four of the Finance Act, 1894, to persons whose respective incomes do not exceed one hundred and sixty pounds a year shall be restricted so as to apply only to persons whose respective incomes do not exceed one hundred and thirty pounds a year.

(2) The relief from income tax allowed under section thirty-four of the Finance Act, 1894, to persons whose respective incomes do not exceed five hundred pounds and under section eight of the Finance Act, 1898, to individuals whose incomes do not exceed seven hundred pounds shall be reduced so as to be—

61 & 62 Vict. c. 10.

(*a*) in the case of persons whose incomes do not exceed four hundred pounds, the tax upon one hundred and twenty pounds; and

(*b*) in the case of persons whose incomes exceed four hundred pounds and do not exceed five hundred pounds, the tax upon one hundred pounds; and

(*c*) in the case of individuals whose incomes exceed five hundred pounds and do not exceed six hundred pounds, the tax upon one hundred pounds.

(3) Where relief for the current income tax year under either of the said sections has, before the commencement of this Act, been given by reduction of the assessment, the assessment shall, without further notice or authority, be treated as varied in such a manner as to give effect to the amendments made by this section.

(4) One hundred and thirty pounds shall be substituted for one hundred and sixty pounds in section thirty-six of the Finance Act, 1894 (which relates to depositors in savings banks) and in section sixty-eight of the Finance (1909–10) Act, 1910 (which relates to relief from income tax with respect to children); and any reference in any enactment to section thirty-four of the Finance Act, 1894, or to section eight of the Finance Act, 1898, shall be deemed to be a reference to that section as amended by this Act.

(5) Section twelve of the Finance Act, 1898 (which grants an exemption from land tax in the case of certain persons who have been allowed a total exemption from income tax by reason of their income not exceeding one hundred and sixty pounds), shall have effect as though the words, "relief from income tax," where substituted for the words, "a total exemption from income tax."

Charge of Schedule B. tax.

59 & 60 Vict. c. 28.

22.—(1) Sections twenty-six and twenty-seven of the Finance Act, 1896, shall, as respects income tax under Schedule B., have effect as if references to one-third of the annual value were references to the annual value.

(2) The annual value in Ireland for the purpose of income tax under Schedule B. shall be taken to be—

(*a*) the judicial rent fixed under the Land Law (Ireland) Acts or any of them; or

(*b*) the annual interest payable to the Irish Land Commission in lieu of rent under the Land Purchase (Ireland) Acts or any of them; or

(*c*) the purchase annuity payable under the Land Purchase (Ireland) Acts or any of them;

in any case in which it is shown that the judicial rent, the annual interest in lieu of rent, or the purchase annuity, as the case may be, is less than the Poor Law valuation.

(3) The election of a person occupying lands for the purposes of husbandry to be assessed under Schedule D. may, in the current income tax year, be signified as provided by section eighteen of the Customs and Inland Revenue Act, 1887, at any time before the seventh day of February nineteen hundred and sixteen. 50 & 51 Vict. c. 15.

(4) Any person occupying woodlands, who proves to the satisfaction of the general Commissioners that those woodlands are managed by him on a commercial basis and with a view to the realisation of profits, may elect to be charged to income tax in respect of those woodlands under Schedule D. instead of under Schedule B. in the same manner as a person occupying lands for the purpose of husbandry only, and section eighteen of the Customs and Inland Revenue Act, 1887, shall apply accordingly, subject as follows:—

(*a*) Any such election shall extend to all woodlands so managed on the same estate; and

(*b*) The election shall have effect, not only as respects the year of assessment mentioned in that section, but also as respects all future years of assessment so long as the woodlands are occupied by the person making the election.

Extension of scale of super-tax.

23. Section three of the Finance Act, 1914, as amended by section ten of the Finance Act, 1915 (which contains the rates of super-tax), shall have effect as if the following items were substituted for the last item in subsection (1) thereof; namely—

for every pound of the next one thousand pounds of the excess - -	two shillings and tenpence.
for every pound of the next one thousand pounds of the excess - -	three shillings and twopence.
for every pound of the remainder of the excess - - - - - -	three shillings and sixpence.

Extension of relief in respect of children.

24. Section seven of the Finance Act, 1914 (which extends the relief from income tax given in respect of children), shall have effect as if twenty-five pounds were substituted for twenty pounds.

Power for soldiers and sailors to claim pre-war rates of income tax in certain cases.

25.—(1) Where any person who, during the current income tax year, has served or is serving as a member of any of the naval or military forces of the Crown, or in service of a naval or military character in connection with the present war for which payment is made out of money provided by Parliament, or in any work abroad of the British Red Cross Society or the St. John Ambulance Association, or any other body with similar objects, proves that his total income from all sources does not exceed three hundred pounds, and that he is assessed or charged to income tax, or has paid income tax either by way of deduction or otherwise on his pay in connection with any such service, he shall be entitled to claim such relief from income tax as will reduce the amount of income tax on that pay to the amount which would have been payable at the rate in force immediately before the commencement of the present war.

(2) The relief given under this section shall be in addition to and not in derogation of any exemption or other relief or abatement under the Income Tax Acts and shall not be subject to the reduction of exemption and abatements for which provision is made under this Act; but relief in respect of earned income shall be given in respect of the pay by reference to the rate in force immediately before the commencement of the present war; and, in calculating any earned income on which relief is to be given, any deductions from earned income made under subsection (2) of section nineteen of the Finance Act, 1907, shall be made primarily from the pay.

7 Edw. 7. c. 13.

(3) All the provisions of the Income Tax Acts which relate to claims for exemption or relief, or the proof to be given with respect to those claims, shall apply to claims for relief under this section and the proof to be given with respect to those claims.

Relief in respect of premiums on policies.
16 & 17 Vict. c. 34.

26.—(1) In any income tax year to which this section applies, the whole amount of profits and gains by reference to which the limit of the relief granted in respect of the premiums on insurance policies under section fifty-four of the Income Tax Act, 1853, and any Act amending the same, is calculated shall be taken to be and to have been the whole amount of the profits and gains within the meaning of that section for the year ending the fifth day of April nineteen hundred and fourteen, where that amount is or was greater than the amount of the profits and gains by reference to which the limit would be calculated but for this section.

(2) This section applies to the income tax year ended on the fifth day of April nineteen hundred and fifteen to the current income tax year, and to any future income tax year which includes any time during which the present war continues, and any amount which has been paid before the passing of this Act and would not have been paid if this section had been in force shall be repaid.

Quarterly assessment and charge of employed persons.

27.—(1) Weekly wage earners to whom this section applies shall be assessed and charged to income tax in respect of their wages in each quarter of the year instead of in the whole year, and shall in all cases be assessed and charged in respect of the actual amount of their wages for that quarter, and as respects any such assessment and charge and the collection of the tax the Income Tax Acts shall have effect as if income tax were charged for each quarter instead of for the year.

(2) This section applies only to weekly wage earners employed by way of manual labour in respect of the wages arising from that employment, and does not apply to persons employed as clerks, typists, draftsmen, or in any other similar capacity:

The expression "weekly wage earner" means a person who receives wages which are calculated by reference to the hour, day, week, or any period less than a month, at whatever intervals the wages may be paid, or who receives wages, however calculated, which are paid daily, weekly, or at any less intervals than a month:

If any question arises whether any person is a person to whom this section applies, that question shall be determined jointly by the Commissioners of Inland Revenue and the general Commissioners, and their determination shall be final and conclusive on the question.

(3) This section shall not have effect as respects the tax for the current income tax year.

Supplemental provisions as to quarterly assessment.

28.—(1) Section twenty-one of the Finance Act, 1907, which relates to returns to be made by the employer, shall extend so as to apply to all weekly wage earners to whom the provisions of this Act as to quarterly assessment apply, and so as to enable returns to be required at such times and intervals as may be fixed by regulations made under this section.

Where an employer is a body corporate, including a company, that body corporate shall be liable to a penalty for failure to deliver a return in pursuance of section twenty-one of the Finance Act, 1907, as well as the secretary or other officer performing the duties of secretary of the body corporate.

(2) The assessment and charge of income tax in each quarter under this Act shall not affect the grant of any exemption, relief, or abatement which is dependent wholly or partially on total annual income; and any such exemption, relief, or abatement shall be given, in cases where the income tax is assessed and charged quarterly under this Act, as if the total wages on which the tax is charged and the total tax charged for the four quarters of the year were respectively the total income for the year from the wages and the total tax charged for the year in respect of the wages.

The Commissioners of Inland Revenue may, however, if they think fit in any case, in accordance with regulations made by them under this section, allow any such exemption, relief, or

abatement by way of reduction of the quarterly assessment or repayment of the quarterly tax.

(3) The Commissioners of Inland Revenue may make regulations generally with respect to the assessment and collection of income tax under this Act in the case of weekly wage earners, and with respect to the procedure to be adopted for the purpose, and may in particular by those regulations in the case of those weekly wage earners provide for the assessment of the tax by the surveyor of taxes and for the collection of the tax by a collector appointed by them, and for the application to the tax of the rules and provisions applicable to Schedule E. in cases where those rules and provisions are not otherwise applicable.

(4) The amount of any income tax assessed and charged quarterly under this Act shall, without prejudice to any other method of recovery under the Income Tax Acts, be also recoverable summarily as a civil debt.

(5) Nothing in this Part of this Act shall affect the right of appeal to the general Commissioners, and the general Commissioners may, if they think it necessary for the purpose of expediting the hearing of appeals, add to the number of general Commissioners by the co-optation or appointment of such persons for the purpose as they think fit.

The powers under this provision may be exercised notwithstanding any limitation under any Act of the number of the general Commissioners.

Extension of time for claim of relief on account of earned income.

29. Subsection (4) of section nineteen of the Finance Act, 1907 (which limits the time within which a claim for relief on account of earned income is to be made), shall cease to have effect.

Income tax on securities representing a bank's subscription to war loan.

30. Any bank carrying on a bonâ fide banking business in the United Kingdom shall be relieved, by repayment or otherwise, from income tax under Schedule C. in respect of the interest on any securities which the bank prove to the satisfaction of the special Commissioners to represent subscriptions by the bank to any Government loan issued for the purposes of the present war either before or after the passing of this Act, and the bank shall include the amount of any such interest in the computation of the balance of its profits and gains for the purpose of assessment under the first case of Schedule D.

Provisions with respect to the charge of income tax on non-residents.

31.—(1) Section forty-one of the Income Tax Act, 1842 (which relates to the charge of income tax in special cases), shall, so far as it relates to the taxation of non-residents, be extended—

(*a*) so as to make non-resident persons chargeable to income tax in the name of any branch or manager as well as in the name of any factor, agent, or receiver; and

(*b*) so as to make non-resident persons so chargeable, although the branch, factor, agent, receiver, or manager may not have the receipt of the profits or gains of the non-resident.

(2) A non-resident person shall be chargeable in respect of any profits or gains arising, whether directly or indirectly, through or from any branch, factorship, agency, receivership, or management, and shall be so chargeable under section forty-one of the Income Tax Act, 1842, as amended by this section, in the name of the branch, factor, agent, receiver, or manager.

(3) Where a non-resident person not being a British subject or a British, Indian, Dominion, or Colonial Firm or Company, or branch thereof, carries on business with a resident person, and it appears to the Commissioners by whom the assessment is made that, owing to the close connection between the resident and the non-resident person, and to the substantial control exercised by the non-resident over the resident, the course of business between those persons can be so arranged, and is so arranged, that the business done by the resident in pursuance of his connection with the non-resident produces to the resident either no profits or less than the ordinary profits which might be expected to arise from that business, the non-resident person shall be chargeable to income tax in the name of the resident person as if the resident person were an agent of the non-resident person.

(4) Where it appears to the Commissioners by whom the assessment is made or, on any objection or appeal, to the general or special Commissioners that the true amount of the profits or gains of any non-resident person chargeable in the name of a resident person with income tax cannot in any case be readily ascertained the Commissioners may, if they think fit, assess the non-resident person on a percentage of the turnover of the business done by the non-resident person through or with the resident person in whose name he is chargeable, and in such case section fifty-three of the Income Tax Act, 1842, shall extend so as to require returns to be given of the business so done by the non-resident through or with the resident in the same manner as returns are to be given under that section of the profits or gains to be charged.

(5) The amount of percentage shall in each case be determined, having regard to the nature of the business, by the Commissioners by whom the assessment on the percentage basis is made, subject, in the case of an assessment made by the additional Commissioners, to objection or appeal to the general or special Commissioners.

If either the resident or non-resident person is dissatisfied with the percentage determined either in the first instance or on objection or appeal by the general or special Commissioners he may, within four months of that determination, require the Commissioners to refer the question of the percentage to a referee or board of referees to be appointed for the purpose by the Treasury, and the decision of the referee or board shall be final and conclusive.

(6) Nothing in section forty-one of the Income Tax Act, 1842 (as amended by any subsequent enactment or by this section), shall render a non-resident person chargeable in the name

of a broker or general commission agent, or in the name of an agent, not being an authorised person carrying on the non-resident's regular agency or a person chargeable as if he were an agent in pursuance of this section, in respect of profits or gains arising from sales or transactions carried out through such a broker or agent.

(7) The fact that a non-resident person executes sales or carries out transactions with other non-residents in circumstances which would make him chargeable in pursuance of this section in the name of a resident person shall not of itself make him chargeable in respect of profits arising from those sales or transactions.

Place for assessment of income tax.

32.—(1) Notwithstanding anything in section one hundred and six or one hundred and forty-six of the Income Tax Act, 1842, or in any other enactment relating to income tax, a person may be charged to income tax under Schedule D. or E., whether or not he is engaged in any trade, manufacture, adventure, or concern, or any employment, vocation, or office, by commissioners acting for any parish or place in which that person ordinarily resides; and if any person has been so charged before the commencement of this Act, the charge shall not be deemed invalid by reason of that person not having been charged by the right commissioners:

Provided that nothing in this section shall affect the operation of section one hundred and seventy-one of the Income Tax Act, 1842, with respect to double assessments.

(2) Section one hundred and eight of the Income Tax Act, 1842 (which makes provision as to the place at which persons are to be assessed to income tax in respect of profits or gains arising from foreign and colonial possessions or securities) is hereby repealed.

Payment of income tax by instalments in certain cases. 43 & 44 Vict. c. 19.

33.—(1) Income tax for any year shall, in cases to which this section applies, instead of being payable on or before the first day of January in that year, or such other date as is specified in section eighty-two of the Taxes Management Act, 1880, be payable in two equal instalments, the first on or before the first day of January in that year, or such other day as aforesaid, and the second on or before the following first day of July:

Provided that where the assessment is not signed and allowed till after the said following first day of July, this provision shall not have effect, and the duties shall be due and payable as provided by section eighty-two of the Taxes Management Act, 1880.

(2) The cases to which this section applies are income tax charged on any individual or firm under Schedule B. in respect of lands occupied for husbandry only and income tax charged on any individual or firm under Schedule D. or the rules thereof in respect of the profits or gains of any trade, manufacture, adventure, or concern in the nature of trade or of any

profession or vocation, and income tax charged on any individual in respect of any office or employment, whether under Schedule D. or E., except individuals whose income tax is deducted at definite intervals of less than half a year, and weekly wage earners whose tax is, under this Act, assessed and charged quarterly:

Provided that, as respects the tax for the current income tax year—

(*a*) this section shall have effect as if two instalments, the one being the amount of tax payable under the Finance Act, 1915, and the other being the additional amount of tax payable under this Act (including any tax which is payable solely owing to alterations made by the provisions of this Act), were substituted for two equal instalments; and

(*b*) the cases to which this section applies include cases in which income tax could be charged quarterly under the provisions of this Act if those provisions were in force during the current income tax year.

(3) The provisions of the Income Tax Acts as to the recovery of income tax shall apply to each instalment of the tax in the same manner as they apply to the whole amount of the tax.

Deductions in respect of Schedule A. tax in Scotland.

27 & 28 Vict. c. 18.

34. Notwithstanding anything in section forty of the Income Tax Act, 1853, or in section fifteen of the Revenue (No. 1) Act, 1864, or in any other enactment, deductions in respect of income tax under Schedule A. on lands and heritages in Scotland made from any rent, interest, or payment due for the period ending on the fifteenth day of May, shall be made at the rate of the tax in force at the commencement of that period.

Computation of profits and gains in relation to excess profits duty.

35.—(1) Where any person has paid excess profits duty under this Act the amount so paid shall be allowed as a deduction for the purpose of income tax in computing the profits and gains of the year which included the end of the accounting period in respect of which the excess profits duty has been paid; but where any person has received repayment of any amount previously paid by him by way of excess profits duty, the amount repaid shall be treated as profit for the year in which the repayment is received.

The payment of excess profits duty shall not be deemed to be a specific cause for the purposes of section one hundred and thirty-four of the Income Tax Act, 1842.

(2) Where in any income tax year the profits or gains from which a deduction may be made under this section come into computation, but owing to the time at which the amount of excess profits duty became ascertained it was impracticable to give effect to the deduction when assessing income tax, the amount by which the income tax would have been reduced if effect had been given to the deduction shall be deducted from the amount payable for excess profits duty or, if there is no excess profits duty, shall be repaid to the taxpayer.

Service of notices by post.

36. Any notice or other document to be given, served, sent, or delivered, under the Income Tax Acts may be served by post in such cases as the Commissioners of Inland Revenue direct by regulations to be made by them for the purpose.

Any notice or other document to be given, served, sent, or delivered to or on an employed person may be served by post at his place of employment.

Amendments to have effect in current income tax year.

37. Any amendments made by this Part of this Act with respect to income tax shall have effect as respects the tax for the current income tax year except where the context otherwise requires.

PART III.

EXCESS PROFITS DUTY.

Charge of excess profits duty.

Amended and supplemented by Finance Act 1916 Part III, ss. 45-57 and Finance Act 1917 Part III, ss. 26-28 and Finance Act 1918 Part III, ss. 34-35

38.—(1) There shall be charged, levied, and paid on the amount by which the profits arising from any trade or business to which this Part of this Act applies, in any accounting period which ended after the fourth day of August nineteen hundred and fourteen, and before the first day of July nineteen hundred and fifteen, exceeded, by more than two hundred pounds, the pre-war standard of profits as defined for the purposes of this Part of this Act, a duty (in this Act referred to as "excess profits duty") of an amount equal to fifty per cent. of that excess.

(2) For the purposes of this Part of this Act the accounting period shall be taken to be the period for which the accounts of the trade or business have been made up, and where the accounts of any trade or business have not been made up for any definite period, or for the period for which they have been usually made up, or a year or more has elapsed without accounts being made up, shall be taken to be such period not being less than six months or more than a year ending on such a date as the Commissioners of Inland Revenue may determine.

Where any accounting period is a period of less than a year this section shall have effect as if there were substituted for two hundred pounds a proportionately reduced amount.

(3) Where a person proves that in any accounting period, which ended after the fourth day of August nineteen hundred and fourteen, his profits have not reached the point which involves liability to excess profits duty, or that he has sustained a loss in his trade or business, he shall be entitled to repayment of such amount paid by him as excess profits duty in respect of any previous accounting period, or to set off against any excess profits duty payable by him in respect of any succeeding accounting period, such an amount as will make the total amount of excess profits duty paid by him during the whole period accord with his profits or losses during that period.

Trades and businesses to which excess

39. The trades and businesses to which this Part of this Act applies are all trades or businesses (whether continuously carried on or not) of any description carried on in the United

Kingdom, or owned or carried on in any other place by persons ordinarily resident in the United Kingdom, excepting— profits duty applies.

(*a*) husbandry in the United Kingdom; and
(*b*) offices or employments; and
(*c*) any profession the profits of which are dependent mainly on the personal qualifications of the person by whom the profession is carried on and in which no capital expenditure is required, or only capital expenditure of a comparatively small amount,

but including the business of any person taking commissions in respect of any transactions or services rendered, and of any agent of any description (not being a commercial traveller, or an agent whose remuneration consists wholly of a fixed and definite sum not depending on the amount of business done or any other contingency).

Determination of profits and pre-war standard.

40.—(1) The profits arising from any trade or business to which this Part of this Act applies shall be separately determined for the purpose of this Part of this Act, but shall be so determined on the same principles as the profits and gains of the trade or business are or would be determined for the purpose of income tax, subject to the modifications set out in the First Part of the Fourth Schedule to this Act and to any other provisions of this Act.

(2) The pre-war standard of profits for the purposes of this Part of this Act shall, subject to the provisions of this Act, be taken to be the amount of the profits arising from the trade or business on the average of any two of the three last pre-war trade years, to be selected by the taxpayer (in this Part of this Act referred to as the profits standard): Provided that if it is shown to the satisfaction of the Commissioners of Inland Revenue that that amount was less than the percentage standard as herein-after defined, the pre-war standard of profits shall be taken to be the percentage standard.

The percentage standard shall, for the purposes of this Part of this Act, be taken to be an amount equal to the statutory percentage on the capital of the trade or business as existing at the end of the last pre-war trade year, subject, however, to the provisions of this Act as to any alteration in the manner of calculating the percentage standard in special cases.

The statutory percentage shall be six per cent. in the case of a trade or business carried on or owned by a company or other body corporate, and seven per cent. in the case of any other trade or business, subject, however, to the provisions of this Act as to the increase in that percentage in certain cases.

The provisions contained in the Second Part of the Fourth Schedule to this Act shall have effect with respect to the computation of the profits of a pre-war trade year, and the provisions contained in the Third Part of the Fourth Schedule shall have effect with respect to the ascertainment of capital for the purposes of this Part of this Act.

"The last pre-war trade year" means the year ending at the end of the last accounting period before the fifth day of August nineteen hundred and fourteen, and "the three last pre-war trade years" means the three years ending at the three corresponding times.

(3) Where it appears to the Commissioners of Inland Revenue, on the application of a taxpayer in any particular case, that any provisions of the Fourth Schedule to this Act should be modified in his case, owing to a change in the constitution of a partnership, or to the postponement or suspension, as a consequence of the present war, of renewals or repairs, or to exceptional depreciation or obsolescence of assets employed in the trade or business due to the present war, or to the necessity in connection with the present war of providing plant which will not be wanted for the purposes of the trade or business after the termination of the war, or to any other special circumstances specified in regulations made by the Treasury, those Commissioners shall have power to allow such modifications of any of the provisions of that schedule as they think necessary in order to meet the particular case.

If the Commissioners refuse, on any such application, to allow any modification, or if the applicant is dissatisfied with any modification allowed, the applicant may require the Commissioners to refer the case to a Board of Referees, to be appointed for the purposes of this Part of this Act by the Treasury, and that Board shall consider any case so referred and have the same powers with respect thereto as the Commissioners have.

Adjustments for increased or decreased capital.

41.—(1) Where capital has been increased during the accounting period, a deduction shall be made from the profits of the accounting period at the statutory percentage per annum on the amount by which the capital has been increased, for the whole accounting period if the increased capital has been employed for the whole accounting period, and if the increased capital has been employed for part only of the accounting period, for that part of the accounting period.

(2) Where capital has been decreased during the accounting period, an addition shall be made to the profits of the accounting period at the statutory percentage per annum on the amount by which the capital has been so decreased, for the whole accounting period, if the capital has been decreased for the whole accounting period, and if the capital has been decreased for part only of the accounting period, for that part of the accounting period.

(3) For the purposes of this section capital shall be taken to be increased or decreased, as the case may be, where the pre-war standard of profits is a profits standard, if the capital employed in the trade or business exceeds or is less than the average amount of capital employed during the pre-war trade years or year by reference to which the profits standard has been arrived at, and, where the pre-war standard of profits is a

percentage standard, if the capital exceeds or is less than the capital on which the percentage standard has been calculated.

(4) Where any capital employed in a trade or business which was so employed for the first time within three years before the first day of August nineteen hundred and fourteen has only commenced to be remunerative or fully remunerative in the accounting period, an amount equal to the statutory percentage, or where interest has been earned on the capital, but at a rate less than the statutory percentage, an amount which would bring the interest earned on the capital up to the statutory percentage, as the case may be, shall be added to the profits standard.

Reference to the Board of Referees of questions as to increase of percentages, &c.

42. Where an application is made to the Commissioners of Inland Revenue—

(1) For an increase of the statutory percentage as respects any class of trade or business, or for a calculation of the percentage standard in the case of any class of trade or business in which the amount of capital actually employed in the trade or business is, owing to the nature of the trade or business, small compared with the capital necessarily at stake for that trade or business, by reference to some factor other than the capital of the trade or business or to some additional factor; or

(2) For an alteration of the pre-war standard of profits as respects capital employed for the purpose of the manufacture of war materials or for munitions work and which could not be expected to be remunerative or wholly remunerative, except in time of war, in a business which has been wholly or mainly carried on for those purposes;

the Commissioners, unless they are of opinion that the application is frivolous or vexatious or relates to matters already decided by a Board of Referees, shall refer the case to a Board of Referees to be appointed for the purpose of this Part of this Act by the Treasury, and that Board shall deal with the case, and may, by order, if they think fit, increase the statutory percentage or alter the percentage standard for the class of trade or business the subject of the order, or alter the pre-war standard of profits, as the case requires.

On any such order being made, this Part of this Act shall have effect as from the date named in the order as if the percentage or standard named in the order was substituted for the percentage or standard fixed by this Act; and where, in pursuance of any such order, the statutory percentage is increased or the percentage standard is altered as respects any class of trade or business, the statutory percentage shall be increased and the percentage standard shall be altered respectively for all purposes of this Part of this Act as respects any trade or business belonging to that class.

This section shall apply to any subdivision of a trade or business based either on any special feature of the trade or business or on locality as it applies to a class of trade or business, in any case where the Board of Referees are of opinion that the subdivision can properly be dealt with separately.

Excess mineral rights duty.

43.—(1) Where the amount payable to any person as rent in respect of the right to work minerals or of any mineral wayleaves (in cases where the right to work the minerals and the mineral wayleaves are not part of the assets of any trade or business) varies according to the price of the minerals, and the amount so payable in respect of any working year ending on any date after the commencement of the present war (in this section referred to as the accounting year) exceeds the pre-war standard of that rent, there shall be paid as an addition to any mineral rights duty payable or paid, either directly or by deduction, by reference to the amount of the rent paid in that working year, by that person (in this section referred to as the person liable) an amount equal to fifty per cent. of that excess.

(2) The pre-war standard of rent shall, for the purposes of this section, be taken to be the average of any two of the three last pre-war rent values, to be selected by the taxpayer, and in cases where the minerals have not been worked or the wayleaves have not been let throughout the three years by reference to which the three last pre-war rent values are to be calculated, or for any other reason there are no proper data for ascertaining the pre-war rent values, shall be taken to be such amount as may be fixed by the Commissioners of Inland Revenue, having regard to the data afforded by the working and price of minerals in like circumstances, subject nevertheless to the same appeal as that to which the assessment of duty by the Commissioners is subject under Part I. of the Finance (1909–10) Act, 1910.

The pre-war rent value shall, as respects each of the three years immediately preceding the first accounting year, be taken to be the sum to which the rent for the accounting year would amount if the rent, so far as variable according to price, were based on the average prices governing the payment of the rent in that year.

(3) Any amount payable in any accounting year by the lessee of minerals or wayleaves to a superior lessor as rent in respect of the minerals or wayleaves shall be treated as a deduction from the amount payable to the lessee as rent for that year, and in computing the pre-war rent values a corresponding deduction shall be made on account of any such rent.

(4) Any increment value duty payable annually under section twenty-two of the Finance (1909–10) Act, 1910, shall, when paid, be treated as a deduction from the rent payable to any person in the year in which the duty is paid, and a corresponding deduction shall be made in computing the pre-war standard with which the rent for that year is to be compared.

(5) Any duty payable under this section shall be assessed by the Commissioners of Inland Revenue on the person liable, subject to the same appeal as that to which an assessment of duty by the Commissioners under Part I. of the Finance (1909–10) Act, 1910, is subject, and shall be recoverable as a debt due to His Majesty from that person.

(6) Subsection (3) of section twenty of the Finance (1909–10) Act, 1910, shall extend so as to authorise particulars to be required of any lease of minerals or wayleaves and as to the sums paid or payable thereunder, and of such other particulars as to the minerals or wayleaves as the Commissioners may require for the purpose of this section.

(7) Expressions to which a special meaning is attached by Part I. of the Finance (1909–10) Act, 1910, shall have the same meaning in this section.

Returns for purpose of Part III. and penalty for fictitious transactions.

44.—(1) The Commissioners of Inland Revenue may, for the purposes of this Part of this Act, require any person engaged in any trade or business to which this Part of this Act applies, or who was so engaged during any accounting period or pre-war trade year, to furnish them within two months after the requirement for the return is made, with returns of the profits of the trade or business during the accounting period or pre-war trade years and such other particulars in connection with the trade or business as the Commissioners may require.

(2) It shall be the duty of every person chargeable to excess profits duty under this Part of this Act to give notice that he is chargeable to the Commissioners of Inland Revenue before the thirty-first day of January nineteen hundred and sixteen, and it shall be the duty of the liquidator of every company which is being wound up at the time of the commencement of this Act or is wound up after the commencement of this Act, and is chargeable to excess profits duty, to give notice of the fact to the Commissioners of Inland Revenue.

If any person fails to furnish a proper return in accordance with this section or to comply with any requirement of the Commissioners under this section, or to give any notice required by this section, he shall be liable on summary conviction to a fine not exceeding one hundred pounds and to a further fine not exceeding ten pounds a day for every day during which the offence continues after conviction therefor.

(3) A person shall not, for the purpose of avoiding the payment of excess profits duty, enter into any fictitious or artificial transaction or carry out any fictitious or artificial operation, and, if he has entered into any such transaction or carried out any such operation before the commencement of this Act, shall inform the Commissioners of Inland Revenue of the nature of the transaction or operation.

If any person acts in contravention of, or fails to comply with, this provision, he shall be liable on summary conviction to a fine not exceeding one hundred pounds.

Supplemental provisions as to excess profits duty.

45.—(1) The excess profits duty shall be assessed by the Commissioners of Inland Revenue, and shall be payable at any time, not being less than two months, after it is assessed.

The Commissioners may, in any case where they think fit, allow the duty to be paid in instalments of such amount payable at such times as the Commissioners direct.

(2) The duty may be assessed on any person for the time being owning or carrying on the trade or business or acting as agent for that person in carrying on the trade or business, or, where a trade or business has ceased, on the person who owned or carried on the trade or business or acted as agent in carrying on the trade or business immediately before the time at which the trade or business ceased, and where there has been a change of ownership of the trade or business, the Commissioners of Inland Revenue may, if they think fit, take the accounting period as the period ending on the date on which the ownership has so changed and assess the duty on the person who owned or carried on the trade or business or acted as agent for the person carrying on the trade or business at that date.

(3) The amount of duty payable shall be recoverable as a debt due to His Majesty from the person on whom it is assessed.

Any such amount shall if it is less than fifty pounds be recoverable also summarily as a civil debt.

(4) Where a company is wound up after the commencement of this Act, and before the first day of July, nineteen hundred and sixteen, and the company would be chargeable with excess profits duty if the provisions of this Act were continued and extended to accounting periods ending before the first day of July, nineteen hundred and sixteen, it shall be the duty of the liquidator of the company to give notice to the Commissioners of Inland Revenue, and to set aside such sum out of the assets of the company as appears to the Commissioners of Inland Revenue to be sufficient to provide for any such excess profits duty as may become chargeable.

(5) Any person who is dissatisfied with the amount of any assessment made upon him by the Commissioners of Inland Revenue under this Part of this Act may (except in cases where a special right of appeal is given under this Part of this Act) appeal to the general Commissioners for the division in which he is assessed, or to the special Commissioners, and those Commissioners shall have power on any appeal, if they think fit, to summon witnesses and examine them upon oath.

The power under sections twenty-one and twenty-two of the Income Tax Act, 1853, to require an appeal in Ireland to the special Commissioners to be reheard by the county court judge, or chairman of quarter sessions, or recorder, shall apply to an appeal in Ireland under this provision.

Section fifty-nine of the Taxes Management Act, 1880 (which relates to the statement of a case on a point of law), shall apply with the necessary modifications in the case of any appeal to the general or special Commissioners under this section, or of the

rehearing of any such appeal in Ireland, and in the case of a reference to the Board of Referees under this Part of this Act, as it applies in the case of appeals to the general or special Commissioners under the Income Tax Acts.

(6) The duty assessed by the Commissioners of Inland Revenue shall be payable notwithstanding any appeal under this section except in cases where the Commissioners of Inland Revenue direct to the contrary, but the Commissioners shall make such repayments, if any, as are necessary to give effect to any decision on appeal as soon as possible after such decision has been given.

(7) The Commissioners of Inland Revenue may make regulations with respect to the assessment and collection of the excess profits duty and the hearing of appeals under this section, and may by those regulations apply and adapt any enactments relating to the assessment and collection of income tax, or the hearing of appeals as to income tax by the general or special Commissioners, which do not otherwise apply.

(8) All Commissioners and other persons employed for any purpose in connection with the assessment or collection of excess profits duty shall be subject to the same obligations as to secrecy with respect to excess profits duty as those persons are subject to with respect to income tax, and any oath taken by any such person as to secrecy with respect to income tax shall be deemed to extend also to secrecy with respect to excess profits duty.

Part IV.

General.

Extension of 4 & 5 Geo. 5. c. 76, to legacy and succession duty.

46. Section two of the Death Duties (Killed in War) Act, 1914 (which provides for the remission of estate duty in respect of property passing more than once owing to deaths caused by the war), shall apply, and shall be deemed always to have applied, to succession and legacy duty as well as to estate duty.

Power of Treasury to issue securities free of taxation.

47. The Treasury may, if they think fit, during the continuance of the present war and a period of twelve months thereafter, issue any securities which they have power to issue for the purpose of raising any money or any loan with a condition that neither the capital nor the interest thereof shall be liable to any taxation, present or future, so long as it is shown in manner directed by the Treasury that the securities are in the beneficial ownership of persons who are neither domiciled nor ordinarily resident in the United Kingdom, and securities issued with such a condition shall be exempt accordingly.

Procedure on death of person entitled to Government stock.

48. Where the holder of any Government stock dies, the production of probate, confirmation, or letters of administration granted by any court in the United Kingdom having authority to grant the same shall be sufficient authority to the Banks of England and Ireland, to the National Debt Commissioners, to

the Postmaster General, and to any savings bank authority to transfer the stock to the person to whom the probate, confirmation, or letters of administration were granted, or as directed by that person.

The expression "Government stock" has the same meaning as in the Savings Bank Act, 1893, as amended by any subsequent enactment.

56 & 57 Vict. c. 69.

Suspension of road improvement grant.

49. Until Parliament otherwise decides, the charge on the Consolidated Fund under section ninety of the Finance 1909-10 Act, 1910, for the road improvement grant shall cease, and without prejudice to any payments already made, no further payments shall be made out of the Consolidated Fund on account of that grant.

Rules and regulations to be laid before Parliament.

50. Any rule or regulation made under this Act shall be laid before each House of Parliament forthwith, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after any such rule or regulation is laid before it praying that the rule or regulation may be annulled, His Majesty in Council may annul the rule or regulation, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

Construction, repeal, and short title.

51.—(1) Part I. of this Act, so far as it relates to duties of Customs, shall be construed together with the Customs Consolidation Act, 1876, and any enactments amending that Act, and so far as it relates to duties of excise shall be construed together with the Acts which relate to the duties of excise and the management of those duties.

Part II. of this Act shall be construed together with the Income Tax Acts, 1842 to 1853, and any other enactments relating to income tax, and those enactments and Part II. of this Act are in this Act referred to as the Income Tax Acts.

In this and in any other Act passed after the commencement of this Act relating to Income Tax unless the context otherwise requires—

the expression "General Commissioners" means the Commissioners for the general purposes of the Acts relating to Income Tax, and

the expression "Special Commissioners" means the Commissioners for the special purposes of the Acts relating to Income Tax.

(2) The Acts mentioned in the Fifth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(3) This Act may be cited as the Finance (No. 2) Act, 1915.

SCHEDULES.

FIRST SCHEDULE.

SUGAR, etc.

Part I.

Duties.

Sections 6, 7.

Article.	Customs Duty. £ s. d.	Excise Duty. £ s. d.
Sugar which, when tested by the polariscope, indicates a polarisation exceeding ninety-eight degrees - - - - - - - the cwt.	0 9 4	0 7 0
Sugar of a polarisation not exceeding seventy-six degrees - - - - - - - the cwt.	0 4 6	0 3 4
Sugar of a polarisation—		
Exceeding 76 and not exceeding 77 - the cwt.	0 4 7·5	0 3 5·6
,, 77 ,, 78 - ,,	0 4 9·3	0 3 7
,, 78 ,, 79 - ,,	0 4 11·1	0 3 8·3
,, 79 ,, 80 - ,,	0 5 0·9	0 3 9·6
,, 80 ,, 81 - ,,	0 5 2·7	0 3 11·0
,, 81 ,, 82 - ,,	0 5 4·5	0 4 0·3
,, 82 ,, 83 - ,,	0 5 6·3	0 4 1·7
,, 83 ,, 84 - ,,	0 5 8·3	0 4 3·2
,, 84 ,, 85 - ,,	0 5 10·3	0 4 4·7
,, 85 ,, 86 - ,,	0 6 0·3	0 4 6·2
,, 86 ,, 87 - ,,	0 6 2·3	0 4 7·7
,, 87 ,, 88 - ,,	0 6 4·6	0 4 9·4
,, 88 ,, 89 - ,,	0 6 6·8	0 4 11·1
,, 89 ,, 90 - ,,	0 6 9·5	0 5 1·1
,, 90 ,, 91 - ,,	0 7 0·2	0 5 3·1
,, 91 ,, 92 - ,,	0 7 2·9	0 5 5·1
,, 92 ,, 93 - ,,	0 7 5·6	0 5 7·2
,, 93 ,, 94 - ,,	0 7 8·2	0 5 9·2
,, 94 ,, 95 - ,,	0 7 10·9	0 5 11·2
,, 95 ,, 96 - ,,	0 8 1·6	0 6 1·2
,, 96 ,, 97 - ,,	0 8 4·3	0 6 3·2
,, 97 ,, 98 - ,,	0 8 7·0	0 6 5·2

Article.	Customs Duty.	Excise Duty.
	£ s. d.	£ s. d.
Molasses (except when cleared for use by a licensed distiller in the manufacture of spirits) and invert sugar and all other sugar and extracts from sugar which cannot be completely tested by the polariscope and on which duty is not specially charged by this section—		
If containing 70 per cent. or more of sweetening matter - - - - - the cwt.	0 5 11	0 4 5
If containing less than 70 per cent. and more than 50 per cent. of sweetening matter the cwt.	0 4 3	0 3 2
If containing not more than 50 per cent. of sweetening matter - - - - the cwt.	0 2 1	0 1 7
The amount of sweetening matter to be taken to be the total amount of cane, invert, and other sugar contained in the article as determined by analysis in manner directed by the Commissioners of Customs and Excise.		
Glucose:		
Solid - - - - - - - - the cwt.	0 5 11	0 5 11
Liquid - - - - - - - - ,,	0 4 3	0 4 3
Saccharin (including substances of a like nature or use) - - - - - - - - the oz.	0 3 0	0 3 0

[NOTE.—The charge under this Schedule of a specified amount of duty on a specified weight of any article includes a charge of a proportionately less duty on any less weight of any article so charged.]

*PART II.

Sections 6, 7.

DRAWBACKS AND ALLOWANCES.

(1) CUSTOMS DRAWBACKS UNDER THE SECOND SCHEDULE OF THE FINANCE ACT, 1901.

	£ s. d.
Drawback to be allowed to a refiner on molasses produced in Great Britain or Ireland from imported sugar and delivered by him to a licensed distiller for use in the manufacture of spirits - - - - - - the cwt.	0 2 1
Other drawbacks - - - - - - - -	According to the amount of duty paid.

* The substituted drawbacks and allowances shall only take effect where it is shown that duty has been paid at the increased rate.

(2) Excise Drawbacks.

A.—Under the Third Schedule of the Finance Act, 1901 - - - - - - - -	According to the amount of duty paid.
B.—Drawback to be allowed on molasses produced in Great Britain or Ireland from sugar made in Great Britain or Ireland and delivered to a licensed distiller for use in the manufacture of spirits the cwt.	£ s. d. 0 1 7
C.—Drawback to be allowed in any other case on articles liable to the Excise duty exported or shipped for use as stores, if it is shown to the satisfaction of the Commissioners of Customs and Excise that the Excise duty has been duly paid -	According to the amount of duty paid.

(3) Allowances on Molasses used solely for the Purpose of Food for Stock.

	£ s. d.
Allowance to a refiner on molasses under subsection (2) of section one of the Revenue Act, 1903 - - - - - - - the cwt.	0 2 1
Allowance on molasses produced from sugar made in Great Britain or Ireland in circumstances in which an allowance would be allowed under subsection (2) of section one of the Revenue Act, 1903, in respect of molasses produced from imported sugar - - - the cwt.	0 1 7

Part III.

Provisions as to Excise Duties.

Section 7.

1. No Excise duty shall be charged on sugar made from material on which the duty of Customs payable in respect of sugar has been paid on importation.

2. A manufacturer's licence under this Act shall not be required for the manufacture of invert sugar by a person who has taken out a licence under section five of the Finance Act, 1901, nor shall a manufacturer's licence under that section be required for the manufacture of invert sugar so far as that manufacture is incidental to, and carried on on the same premises as, the manufacture of sugar by a person who has taken out a licence as a manufacturer under this Act.

3. The Commissioners of Customs and Excise may make regulations prohibiting the manufacture of sugar except by persons holding a licence and having made entry for the purpose, and for fixing the date of expiration of the licence, and also for regulating the manufacture of sugar and the removal from the manufactory of sugar with a view to securing and collecting the Excise duty imposed by this Act, and may by those regulations apply to the Excise duties and drawbacks on sugar and to

manufacturers of sugar any enactments relating to any duty or drawback of Excise or Customs and to persons carrying on any trade subject to the laws of Excise; and if any person acts in contravention of, or fails to comply with, any of those regulations, the article in respect of which the offence is committed shall be forfeited and the person committing the offence shall be liable in respect of each offence to an Excise penalty of fifty pounds.

4. The powers given to the Commissioners of Customs and Excise by this section shall be in addition to and not in derogation of any powers given to them under the Finance Act, 1901, section two of the Sugar Convention Act, 1903, or any other Act.

1 Edw. 7. c. 7.
3 Edw. 7. c. 21.

SECOND SCHEDULE.

TOBACCO.

PART I.

Section 9.

ADDITIONAL CUSTOMS DUTIES.

		s.	d.
Upon tobacco unmanufactured, viz.:—			
Containing 10 lbs. or more of moisture in every 100 lbs. weight thereof—			
Unstripped	the lb.	1	10
Stripped	the lb.	1	10
Containing less than 10 lbs. of moisture in every 100 lbs. weight thereof—			
Unstripped	the lb.	2	0½
Stripped	the lb.	2	0½
Upon tobacco manufactured, viz.:—			
Cigars	the lb.	3	6
Cigarettes	the lb.	2	10
Cavendish or negrohead	the lb.	2	8
Cavendish or negrohead manufactured in bond	the lb.	2	4
Other manufactured tobacco	the lb.	2	4
Snuff containing more than 13 lbs. of moisture in every 100 lbs. weight thereof	the lb.	2	2½
Snuff not containing more than 13 lbs. of moisture in every 100 lbs. weight thereof	the lb.	2	8

PART II.

ADDITIONAL EXCISE DUTIES.

		s.	d.
Upon tobacco unmanufactured, viz.:—			
Tobacco containing 10 lbs. or more of moisture in every 100 lbs. weight thereof	the lb.	1	10
Tobacco containing less than 10 lbs. of moisture in every 100 lbs. weight thereof	the lb.	2	0½
Upon tobacco manufactured, viz.:—			
Cavendish or negrohead manufactured in bond	the lb.	2	4

and so in proportion for any less quantity.

Part III.

Rates of Drawback.

		s.	d.
Cigars	the lb.	6	3
Cigarettes	the lb.	6	$1\frac{1}{2}$
Cut, roll, cake, or other manufactured tobacco	the lb.	6	0
Snuff (not being offal snuff)	the lb.	5	9
Stalks, shorts, or other refuse of tobacco (including offal snuff)	the lb.	5	$7\frac{1}{2}$

THIRD SCHEDULE.

Table.

Section 20 (2).

Percentage by which the actual income is less than the Income on which Income Tax has been assessed or charged.	Amount of Repayment of Additional Tax.
11 per cent. and under 12 per cent.	10 per cent.
12 „ „ 13 „	20 „
13 „ „ 14 „	30 „
14 „ „ 15 „	40 „
15 „ „ 16 „	50 „
16 „ „ 17 „	60 „
17 „ „ 18 „	70 „
18 „ „ 19 „	80 „
19 „ „ 20 „	90 „
20 „ or more	100 „

FOURTH SCHEDULE.

Part I.—Computation of Profits.

Section 40.

1. The profits shall be taken to be the actual profits arising in the accounting period; and the principle of computing profits by reference to any other year or an average of years shall not be followed.

2. The principle of the Income Tax Acts under which deductions are not allowed for interest on money borrowed for the purpose of the trade or business, or for rent, or royalties, or for other payments income tax on which is collected at the source (not being payments of dividends or payments for the distribution of profits), and under which profits or gains arising from lands, tenements, or hereditaments forming part of the assets of the trade or business are excluded shall not be followed.

3. Deductions for wear and tear or for any expenditure of a capital nature for renewals, or for the development of the trade or business or otherwise in respect of the trade or business, shall not be allowed except such as may be allowed under the Income Tax Acts, and if allowed shall be only of such amount as appears to the Commissioners of Inland Revenue to be reasonably and properly attributable to the year or accounting period.

4. Deductions shall not be allowed on account of the liability to pay, or the payment of, income tax or excess profits duty, but a deduction shall be allowed (if not otherwise allowed by means of the adoption of the principle of the Income Tax Acts) for any sum which has been paid in respect of the profits on account of any excess profits duty or similar duty imposed in any country outside the United Kingdom.

5. Any deduction allowed for the remuneration of directors, managers, and persons concerned in the management of the trade or business shall not, unless the Commissioners of Inland Revenue, owing to any special circumstances or to the fact that the remuneration of any managers or managing directors depends on the profits of the trade or business, otherwise direct, exceed the sums allowed for those purposes in the last pre-war trade year or a proportionate part thereof as the case requires, and no deduction shall be allowed in respect of any transaction or operation of any nature, where it appears, or to the extent to which it appears, that the transaction or operation has artificially reduced the amount to be taken as the amount of the profits of the trade or business for the purposes of this Act.

6. Where any company, either in its own name or that of a nominee, owns the whole of the ordinary capital of any other company carrying on the same trade or business or so much of that capital as under the general law a single shareholder can legally own, the provisions of Part III. of this Act as to excess profits duty and the pre-war standard of profits shall apply as if that other company were a branch of the first-named company, and the profits of the two companies shall not be separately assessed.

7. Where in the case of any trade or business—

(*a*) the percentage standard is adopted as the pre-war standard of profits; and

(*b*) the net result of the trade or business during the three last pre-war trade years has shown a loss; and

(*c*) any part of the profits has been applied in extinction of that loss;

then in estimating the profits a deduction shall be allowed equal to the amount of profits so applied.

8. In estimating the profits no account shall be taken of income received from investments except in the case of life assurance businesses and businesses where the principal business consists of the making of investments. Where account is taken of any such income—

(*a*) any variation in the value of any of those investments which appears to the Commissioners of Inland Revenue not to be due to a variation in profits shall also be taken into account; and

(*b*) where the income has been derived from profits in respect of which any payment or repayment of excess profits duty has been made under this Act, such deduction or addition shall be made in computing the profits as will make proper allowance for that payment or repayment of duty.

9. In computing the total profits of a local authority from any trades or businesses carried on by that authority the total amount which is required to be raised by them, out of the rates or otherwise, for sinking fund purposes in connection with those trades or businesses shall be allowed as a deduction.

10. In the case of societies registered under the Industrial and Provident Societies Acts the excess profits duty shall be charged on the

sum by which the profits per member for the accounting period (including any surplus arising from transactions with members) exceed the like profits per member in the pre-war trade year or average of years taken as the basis of computation for the purpose of the pre-war standard of profits, multiplied by the number of members in the accounting period.

11. In the case of any contract extending beyond one accounting period from the date of its commencement to the completion thereof and only partially performed in any accounting period there shall (unless the Commissioners of Inland Revenue, owing to any special circumstances, otherwise direct) be attributed to each of the accounting periods in which such contract was partially performed, such proportion of the entire profits or loss or estimated profits or loss in respect of the complete performance of the contract as shall be properly attributable to such accounting periods respectively, having regard to the extent to which the contract was performed in such periods.

Part II.

Pre-War Standard.

1. The profits of any pre-war trade year shall be computed on the same principles and subject to the same provisions as the profits of the accounting period are computed.

2. Where the accounting period for which the excess profits duty is to be assessed is less than a year, the amount of the pre-war standard of profits shall be proportionately reduced.

3. Where it is shown to the satisfaction of the Commissioners of Inland Revenue in the case of any trade or business that the three last pre-war trade years have been years of abnormal depression, any four of the last six pre-war trade years may be substituted for the purposes of the pre-war standard of profits for any two of the three last pre-war trade years.

The three last pre-war trade years shall not be considered as years of abnormal depression unless the average profits of those years have been at least twenty-five per cent. lower than the average profits of the preceding three years.

4. Where owing to the recent commencement of a trade or business there have not been three pre-war trade years, but there have been two pre-war trade years, the pre-war standard of profits shall be taken to be the amount of the profits arising from the trade or business on the average of those two years or, at the option of the taxpayer, the profits arising from the trade or business during the last of those two years, and where there have not been two pre-war trade years, but there has been one pre-war trade year, the pre-war standard of profits shall be taken to be the profits arising from the trade or business during that year ; and where there has not been one pre-war trade year, the pre-war standard of profits shall be taken to be the statutory percentage on the average amount of capital employed in the trade or business during the accounting period.

Where the trade or business is an agency or business of a nature involving capital of a comparatively small amount, the pre-war standard of profits shall be computed by reference to the profits arising from any trade, business, office, employment or profession of any sort, whether liable to excess profits duty or not, carried on by the agent or other person before his new trade or business commenced as if it was the same trade or business ; but only to the extent to which the income from the former trade, business, office, employment or profession has been diminished.

5. Where since the commencement of the three last pre-war trade years a trade or business has changed ownership, the provisions of this Part of this Schedule shall apply as if a new trade or business had been commenced on the change of ownership, except in cases when the taxpayer makes an application that the provisions of Part III. of this Act and this Schedule should apply as if the trade or business had not changed ownership, but in that case such modifications (if any) shall be made in the application of this Schedule as may be necessary to make the basis on which the profits standard is computed the same as that on which the profits of the accounting period are computed.

6. It is hereby declared that, where any business or trade is confined to the management of any particular assets, but power exists to substitute other assets for those particular assets or any of them, such a substitution shall not be deemed, for the purposes of Part III. of this Act, to constitute a change of ownership of the business; but, where any such substitution has been carried out by the sale of assets and the purchase of other assets, the capital of the trade or business shall be taken to be increased or decreased, as the case may be, only by the amount of the difference between the price of the assets purchased and the price obtained for the assets sold, and the capital representing the assets purchased shall be estimated on the same basis for all the purposes of Part III. of this Act.

PART III.

CAPITAL.

1. The amount of the capital of a trade or business shall, so far as it does not consist of money, be taken to be—

(*a*) so far as it consists of assets acquired by purchase, the price at which those assets were acquired, subject to any proper deductions for wear and tear or replacement, or for unpaid purchase money; and

(*b*) so far as it consists of assets being debts due to the trade or business, the nominal amount of those debts subject to any reduction which has been allowed in respect of those debts for income tax purposes; and

(*c*) so far as it consists of any other assets which have not been acquired by purchase, the value of the assets at the time when they became assets of the trade or business, subject to any proper deductions for wear and tear or replacement.

Nothing in this Part of this Schedule shall prevent accumulated profits employed in the business being treated as capital.

2. Any capital the income on which is not taken into account for the purposes of Part I. of this Schedule, and any borrowed money or debts, shall be deducted in computing the amount of capital for the purposes of Part III. of this Act.

3. Where any asset has been paid for otherwise than in cash, the cost price of that asset shall be taken to be the value of the consideration at the time the asset was acquired, but where a trade or business has been converted into a company and the shares in the company are wholly or mainly held by the person who was owner of the trade or business, no value shall be attached to those shares so far as they are represented by goodwill or otherwise than by material assets of the company unless the Commissioners of Inland Revenue in special circumstances otherwise direct. Patents and secret processes shall be deemed to be material assets.

FIFTH SCHEDULE.

ENACTMENTS REPEALED. Section 51.

Session and Chapter.	Short Title.	Extent of Repeal.
5 & 6 Vict. c. 35.	The Income Tax Act, 1842	Section one hundred and eight.
43 & 44 Vict. c. 24.	The Spirits Act, 1880 -	Table B. in the Second Schedule.
7 Edw. 7. c. 13	The Finance Act, 1907 -	Subsection (4) of section nineteen.
2 & 3 Geo. 5 c. 8.	The Finance Act, 1912.	Section two.

CHAPTER 90.

An Act to amend the Law relating to Indictments in Criminal Cases, and matters incidental or similar thereto. [23rd December 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Rules as to indictments.

1. The rules contained in the First Schedule to this Act with respect to indictments shall have effect as if enacted in this Act, but those rules may be added to, varied, or annulled by further rules made by the rule committee under this Act.

Powers of rule committee.

2.—(1) There shall be established for the purposes of this Act a rule committee consisting of the Lord Chief Justice of England for the time being, and of a judge of the High Court, a chairman of quarter sessions, a recorder, a clerk of assize, a clerk of the peace, and another person having experience in criminal procedure, appointed in each case by the Lord Chief Justice.

(2) The rule committee shall have power from time to time, subject to the approval of the Lord Chancellor, to make rules varying or annulling the rules contained in the First Schedule to this Act and to make further rules with respect to the matters dealt with in those rules, and those rules shall have effect subject to any modifications or additions so made.

(3) Any rules made by the rule committee shall be laid, as soon as may be, before both Houses of Parliament, and, if within

forty days on which either House has sat since the rules were so laid before the House a petition is presented to His Majesty by that House praying that the rules or any part of them may be annulled, His Majesty may thereupon by Order in Council annul the same, and the same shall thenceforth be void, but without prejudice to the validity of anything done thereunder.

(4) The term of office of any person who is a member of the committee by virtue of appointment shall be such as may be specified in the appointment.

General provisions as to indictments.

3.—(1) Every indictment shall contain, and shall be sufficient if it contains, a statement of the specific offence or offences with which the accused person is charged, together with such particulars as may be necessary for giving reasonable information as to the nature of the charge.

(2) Notwithstanding any rule of law or practice, an indictment shall, subject to the provisions of this Act, not be open to objection in respect of its form or contents if it is framed in accordance with the rules under this Act.

Joinder of charges in the same indictment.

4. Subject to the provisions of the rules under this Act, charges for more than one felony or for more than one misdemeanour, and charges for both felonies and misdemeanours, may be joined in the same indictment, but where a felony is tried together with any misdemeanour, the jury shall be sworn and the person accused shall have the same right of challenging jurors as if all the offences charged in the indictment were felonies.

Orders for amendment of indictment, separate trial, and postponement of trial.

5.—(1) Where, before trial, or at any stage of a trial, it appears to the court that the indictment is defective, the court shall make such order for the amendment of the indictment as the court thinks necessary to meet the circumstances of the case, unless, having regard to the merits of the case, the required amendments cannot be made without injustice, and may make such order as to the payment of any costs incurred owing to the necessity for amendment as the court thinks fit.

(2) Where an indictment is so amended, a note of the order for amendment shall be endorsed on the indictment, and the indictment shall be treated for the purposes of the trial and for the purposes of all proceedings in connection therewith as having been found by the grand jury in the amended form.

(3) Where, before trial, or at any stage of a trial, the court is of opinion that a person accused may be prejudiced or embarrassed in his defence by reason of being charged with more than one offence in the same indictment, or that for any other reason it is desirable to direct that the person should be tried separately for any one or more offences charged in an indictment, the court may order a separate trial of any count or counts of such indictment.

(4) Where, before trial, or at any stage of a trial, the court is of opinion that the postponement of the trial of a person accused

is expedient as a consequence of the exercise of any power of the court under this Act to amend an indictment or to order a separate trial of a count, the court shall make such order as to the postponement of the trial as appears necessary.

(5) Where an order of the court is made under this section for a separate trial or for the postponement of a trial—

(*a*) if such an order is made during a trial the court may order that the jury are to be discharged from giving a verdict on the count or counts the trial of which is postponed or on the indictment, as the case may be; and

(*b*) the procedure on the separate trial of a count shall be the same in all respects as if the count had been found in a separate indictment, and the procedure on the postponed trial shall be the same in all respects (if the jury has been discharged) as if the trial had not commenced; and

(*c*) the court may make such order as to costs and as to admitting the accused person to bail, and as to the enlargement of recognizances and otherwise as the court thinks fit.

(6) Any power of the court under this section shall be in addition to and not in derogation of any other power of the court for the same or similar purposes.

Costs of defective or redundant indictments.

6. Where it appears to the court that an indictment contains unnecessary matter, or is of unnecessary length, or is materially defective in any respect, the court may make such order as to the payment of that part of the costs of the prosecution which has been incurred by reason of the indictment so containing unnecessary matter, or being of unnecessary length, or being materially defective as the court thinks fit.

Provision as to Vexatious Indictments Acts. 22 & 23 Vict. c. 17. 30 & 31 Vict. c. 35.

7. Nothing in this Act shall prevent an indictment being open to objection if it contravenes or fails to comply with the Vexatious Indictments Act, 1859, as amended by section one of the Criminal Law Amendment Act, 1867, or any other enactment: Provided that an indictment shall not be open to objection under those Acts on the ground that a count is joined with the rest of the indictment which could not at the time of the passing of the Criminal Law Amendment Act, 1867, be lawfully joined, if that count can be lawfully joined under the law for the time being in force.

Savings and interpretation.

8.—(1) Nothing in this Act or the rules thereunder shall affect the law or practice relating to the jurisdiction of a court or the place where an accused person can be tried, nor prejudice or diminish in any respect the obligation to establish by evidence according to law any acts, omissions, or intentions which are legally necessary to constitute the offence with which the person accused is charged, nor otherwise affect the laws of evidence in criminal cases.

(2) In this Act, unless the context otherwise requires, the expression "the court" means the court before which any indictable offence is tried or prosecuted.

(3) The provisions of this Act relating to indictments shall apply to criminal informations in the High Court and inquisitions, and also to any plea, replication, or other criminal pleading, with such modifications as may be made by rules under this Act.

Repeal, extent, short title, and commencement.

9.—(1) The enactments specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

(2) This Act shall not extend to Scotland or Ireland.

(3) This Act may be cited as the Indictments Act, 1915.

(4) This Act shall come into operation on the first day of April nineteen hundred and sixteen, but shall not apply to indictments in the case of persons committed for trial before that date, or to the trial of any such person.

SCHEDULES.

Sections 1, 2 (2).

FIRST SCHEDULE.

RULES.

Material, &c. for indictments.

1.—(1) An indictment may be on parchment or durable paper, and may be either written or printed, or partly written and partly printed.

(2) Each sheet on which an indictment is set out shall be not more than 12 and not less than 6 inches in length, and not more that 14 and not less than 12 inches in width, and if more than one sheet is required, the sheets shall be fastened together in book form.

(3) A proper margin not less than 3 inches in width shall be kept on the left-hand side of each sheet.

(4) Figures and abbreviations may be used in an indictment for expressing anything which is commonly expressed thereby.

(5) There shall be endorsed on the back of an indictment the name of every witness examined or intended to be examined by the grand jury, and the foreman of the grand jury shall write his initials against the name of each witness so examined.

(6) An indictment shall not be open to objection by reason only of any failure to comply with this rule.

Commencement of the indictment.

2. The commencement of the indictment shall be in the following form :—

The King v. *A.B.*

COURT OF TRIAL [e.g., *Central Criminal Court*, [or] *In the High Court of Justice, King's Bench Division*, [or] *Durham County Assizes held at Durham*, [or] *Hants Quarter Sessions held at Winchester*].

PRESENTMENT OF THE GRAND JURY.

A.B. is charged with the following offence [offences] :—

Joining of charges in one indictment.

3. Charges for any offences, whether felonies or misdemeanours, may be joined in the same indictment if those charges are founded on the same facts, or form or are a part of a series of offences of the same or a similar character.

Mode in which offences are to be charged.

4.—(1) A description of the offence charged in an indictment, or where more than one offence is charged in an indictment, of each offence so charged, shall be set out in the indictment in a separate paragraph called a count.

(2) A count of an indictment shall commence with a statement of the offence charged, called the statement of offence.

(3) The statement of offence shall describe the offence shortly in ordinary language, avoiding as far as possible the use of technical terms, and without necessarily stating all the essential elements of the offence, and if the offence charged is one created by statute, shall contain a reference to the section of the statute creating the offence.

(4) After the statement of the offence, particulars of such offence shall be set out in ordinary language, in which the use of technical terms shall not be necessary :

Provided that where any rule of law or any statute limits the particulars of an offence which are required to be given in an indictment, nothing in this rule shall require any more particulars to be given than those so required.

(5) The forms set out in the appendix to these rules or forms conforming thereto as nearly as may be shall be used in cases to which they are applicable, and in other cases forms to the like effect or conforming thereto as nearly as may be shall be used, the statement of offence and the particulars of offence being varied according to the circumstances in each case.

(6) Where an indictment contains more than one count, the counts shall be numbered consecutively.

Provision as to statutory offences.

5.—(1) Where an enactment constituting an offence states the offence to be the doing or the omission to do any one of any different acts in the alternative, or the doing or the omission to do any act in any one of any different capacities, or with any one of any different intentions, or states any part of the offence in the alternative, the acts, omissions, capacities, or intentions, or other matters stated in the alternative in the enactment, may be stated in the alternative in the count charging the offence.

(2) It shall not be necessary, in any count charging a statutory offence, to negative any exception or exemption from or qualification to the operation of the statute creating the offence.

Description of property.

6.—(1) The description of property in a count in an indictment shall be in ordinary language and such as to indicate with reasonable clearness the property referred to, and if the property is so described it shall not be necessary (except when required for the purpose of describing an offence depending on any special ownership of property or special value of property) to name the person to whom the property belongs or the value of the property.

(2) Where property is vested in more than one person, and the owners of the property are referred to in an indictment it shall be sufficient to describe the property as owned by one of those persons by name with others, and if the persons owning the property are a body of persons with a collective name, such as "Inhabitants," "Trustees," "Commissioners," or "Club" or other such name, it shall be sufficient to use the collective name without naming any individual.

Description of persons.

7. The description or designation in an indictment of the accused person, or of any other person to whom reference is made therein, shall be such as is reasonably sufficient to identify him, without necessarily stating his correct name, or his abode, style, degree, or occupation; and if, owing to the name of the person not being known, or for any other reason, it is impracticable to give such a description or designation, such description or designation shall be given as is reasonably practicable in the circumstances, or such person may be described as "a person unknown."

Description of document.

8. Where it is necessary to refer to any document or instrument in an indictment, it shall be sufficient to describe it by any name or designation by which it is usually known, or by the purport thereof, without setting out any copy thereof.

General rule as to description.

9. Subject to any other provisions of these rules, it shall be sufficient to describe any place, time, thing, matter, act, or omission whatsoever to which it is necessary to refer in any indictment, in ordinary language in such a manner as to indicate with reasonable clearness the place, time, thing, matter, act or omission referred to.

Statement of intent.

10. It shall not be necessary in stating any intent to defraud, deceive or injure to state an intent to defraud, deceive or injure any particular person where the statute creating the offence does not make an intent to defraud, deceive or injure a particular person an essential ingredient of the offence.

Charge of previous convictions, &c.

11. Any charge of a previous conviction of an offence or of being a habitual criminal or a habitual drunkard shall be charged at the end of the indictment by means of a statement—in the case of a previous conviction that the person accused has been previously convicted of that offence at a certain time and place without stating the particulars of the offence, and in the case of a habitual criminal or habitual drunkard, that the offender is a habitual criminal or a habitual drunkard, as the case may be.

Saving for s. 32 (4) of 8 Edw. 7. c. 67.

12. Nothing in these rules or in any rules made under section two of this Act shall affect the provisions of subsection (4) of section thirty-two of the Children Act, 1908.

Duty to furnish copy of indictment.

13.—(1) It shall be the duty of the clerk of assize, after a true bill has been found on any indictment, to supply to the accused person, on request, a copy of the indictment free of charge.

(2) The cost of any copy supplied to the accused person whether under this rule or otherwise shall be treated as part of the costs of the prosecution for the purpose of section one of the Costs in Criminal Cases Act, 1908.

8 Edw. 7. c. 15.

(3) In the application of this rule to quarter sessions, the clerk of the peace shall be substituted for the clerk of assize.

Interpretation. 52 & 53 Vict. c. 63.

14. The Interpretation Act, 1889, applies for the interpretation of these rules as it applies for the interpretation of an Act of Parliament.

Short title.

15. These rules may be cited as the Indictment rules, 1915, and these rules, together with any rules made under section two of this Act, may be cited together by such collective title as may be prescribed by the last-mentioned rules.

APPENDIX TO RULES.

Forms of Indictment.

1.

Statement of Offence.

Murder.

Particulars of Offence.

A.B., on the day of , in the county of , murdered *J.S.*

2.

Statement of Offence.

Accessory after the fact to murder.

Particulars of Offence.

A.B., well knowing that one, *H.C.*, did on the day of in the county of murder *C.C.*, did on the day of in the county of and on other days thereafter receive, comfort, harbour, assist and maintain the said *H.C.*

3.

Statement of Offence.

Manslaughter.

Particulars of Offence.

A.B., on the day of , in the county of , unlawfully killed *J.S.*

4.

Statement of Offence.

Rape.

Particulars of Offence.

A.B., on the day of , in the county of , had carnal knowledge of *E.F.* without her consent.

5.

STATEMENT OF OFFENCE.

First Count.

Wounding with intent, contrary to section 18 of the Offences against the Person Act, 1861.

PARTICULARS OF OFFENCE.

A.B., on the day of , in the county of , wounded *C.D.*, with intent to do him grievous bodily harm, or to maim, disfigure, or disable him, or to resist the lawful apprehension of him the said *A.B.*

STATEMENT OF OFFENCE.

Second Count.

Wounding, contrary to section 20 of the Offences against the Person Act, 1861.

PARTICULARS OF OFFENCE.

A.B., on the day of , in the county of , maliciously wounded *C.D.*

6.

STATEMENT OF OFFENCE.

Cruelty to a child, contrary to section 12 of the Children Act, 1908.

PARTICULARS OF OFFENCE.

A.B., between the day of and the day of , in the county of , being a person over the age of sixteen years having the custody, charge, or care of *C.D.*, a child, ill-treated or neglected the said child, or caused or procured the said child to be ill-treated or neglected in a manner likely to cause the said child unnecessary suffering or injury to its health.

7.

STATEMENT OF OFFENCE.

Larceny, contrary to section 67 of the Larceny Act, 1861.

PARTICULARS OF OFFENCE.

A.B., on the day of , in the county of , being clerk or servant to *M.N.*, stole from the said *M.N.* ten yards of cloth.

8.

Statement of Offence.

Robbery with violence, contrary to section 42 of the Larceny Act, 1861.

Particulars of Offence.[1]

A.B., on the day of , in the county of , robbed *C.D.* of a watch, and at the time of or immediately before or immediately after such robbery did use personal violence to the said *C.D.*

9.

Statement of Offence.

First Count.

Larceny after a previous conviction.

Particulars of Offence.

A.B., on the day of , in the county of , stole a bag, the property of *C.D.*

A.B. has been previously convicted of burglary on the day of , at the assizes held at Reading.

Statement of Offence.

Second Count.

Receiving stolen goods, contrary to section 91 of the Larceny Act, 1861.

Particulars of Offence.

A.B. on the day of , in the county of , did receive a bag, the property of *C.D.*, knowing the same to have been stolen.

10.

Statement of Offence.

Burglary and larceny, contrary to section 60 of the Larceny Act, 1861.

Particulars of Offence.

A.B., in the night of the day of , in the county of , did break and enter the dwelling-house of *C.D.* with intent to steal therein, and did steal therein one watch, the property of *S.T.*, the said watch being of the value of ten pounds.

11.

STATEMENT OF OFFENCE.

Sending threatening letter, contrary to section 46 of the Larceny Act, 1861.

PARTICULARS OF OFFENCE.

A.B., on the day of , in the county of , sent, delivered or uttered to or caused to be received by *C.D.*, a letter accusing or threatening to accuse the said *C.D.* of an infamous crime with intent to extort money from the said *C.D.*

12.

STATEMENT OF OFFENCE.

Obtaining goods by false pretences, contrary to section 88 of the Larceny Act, 1861.

PARTICULARS OF OFFENCE.

A.B., on the day of , in the county of , with intent to defraud, obtained from *S.P.* five yards of cloth by falsely pretending that he, the said *A.B.*, was a servant to *J.S.*, and that he, the said *A.B.*, had then been sent by the said *J.S.*, to *S.P.* for the said cloth, and that he, the said *A.B.*, was then authorised by the said *J.S.* to receive the said cloth on behalf of the said *J.S.*

13.

STATEMENT OF OFFENCE.

Conspiracy to defraud.

PARTICULARS OF OFFENCE.

A.B. and *C.D.* on the day of and on divers days between that day and the day of , in the county of , conspired together with intent to defraud by means of an advertisement inserted by them, the said *A.B.* and *C.D.*, in the *H.S.* newspaper, falsely representing that *A.B.* and *C.D.* were then carrying on a genuine business as jewellers at in the county of and that they were then able to supply certain articles of jewellery to whomsoever would remit to them the sum of two pounds.

14.

STATEMENT OF OFFENCE.

First Count.

Arson, contrary to section 2 of the Malicious Damage Act, 1861.

PARTICULARS OF OFFENCE.

A.B., on the day of , in the county of , maliciously set fire to a dwelling-house, one *F.G.* being therein.

Statement of Offence.

Second Count.

Arson, contrary to section 3 of the Malicious Damage Act, 1861.

Particulars of Offence.

A.B., on the day of , in the county of , maliciously set fire to a house with intent to injure or defraud.

15.

Statement of Offences.

A.B., arson, contrary to section 3 of the Malicious Damage Act, 1861 ; *C.D.*, accessory before the fact to same offence.

Particulars of Offences.

A.B., on the day of , in the county of , set fire to a house with intent to injure or defraud.

C.D., on the same day, in the county of , did counsel, procure, and command the said *A.B.* to commit the said offence.

16.

Statement of Offence.

First Count.

Offence under section 35 of the Malicious Damage Act, 1861.

Particulars of Offence.

A.B., on the day of , in the county of , displaced a sleeper belonging to the Great Western Railway with intent to obstruct, upset, overthrow, injure, or destroy any engine, tender, carriage or truck using the said railway.

Statement of Offence.

Second Count.

Obstructing railway, contrary to section 36 of the Malicious Damage Act, 1861.

Particulars of Offence.

A.B., on the day of , in the county of , by unlawfully displacing a sleeper belonging to the Great Western Railway did obstruct or cause to be obstructed an engine or carriage using the said railway.

17.

STATEMENT OF OFFENCE.

Damaging trees, contrary to section 22 of the Malicious Damage Act, 1861.

PARTICULARS OF OFFENCE.

A.B., on the day of , in the county of , maliciously damaged an oak tree there growing.

A.B. has been twice previously convicted of an offence under section 22 of the Malicious Damage Act, 1861, namely, at , on the day of , and at , on the day of .

18.

STATEMENT OF OFFENCE.

First Count.

Forgery, contrary to section 2 (1) (*a*) of the Forgery Act, 1913.

PARTICULARS OF OFFENCE.

A.B., on the day of , in the county of , with intent to defraud, forged a certain will purporting to be the will of *C.D.*

STATEMENT OF OFFENCE.

Second Count.

Uttering forged document, contrary to section 6 (1) (2) of the Forgery Act, 1913.

PARTICULARS OF OFFENCE.

A.B., on the day of , in the county of , uttered a certain forged will purporting to be the will of *C.D.*, knowing the same to be forged and with intent to defraud.

19.

STATEMENT OF OFFENCE.

Uttering counterfeit coin, contrary to section 9 of the Coinage Offences Act, 1861.

PARTICULARS OF OFFENCE.

A.B., on the day of , at the public-house called "The Red Lion," in the county of , uttered a counterfeit half-crown, knowing the same to be counterfeit.

20.

STATEMENT OF OFFENCE.

Uttering counterfeit coin, contrary to section 12 of the Coinage Offences Act, 1861.

PARTICULARS OF OFFENCE.

A.B., on the day of , at a public-house called "The Red Lion," in the county of , uttered a counterfeit sovereign, knowing the same to be counterfeit.

A.B. has been previously convicted of a misdemeanour under section 9 of the Coinage Offences Act, 1861, on the day of at .

21.

STATEMENT OF OFFENCE.

Perjury, contrary to section (1) (i) of the Perjury Act, 1911.

PARTICULARS OF OFFENCE.

A.B., on the day of , in the county of , being a witness upon the trial of an action in the Chancery Division of the High Court of Justice in England, in which one, , was plaintiff, and one, , was defendant, knowingly falsely swore that he saw one, *M.N.*, in the street called the Strand, London, on the day of .

22.

STATEMENT OF OFFENCE.

Libel.

PARTICULARS OF OFFENCE.

A.B., on the day of , in the county of , published a defamatory libel concerning *E.F.*, in the form of a letter [book, pamphlet, picture, or as the case may be].

[Innuendo should be stated where necessary.]

23.

STATEMENT OF OFFENCE.

First Count.

Publishing obscene libel.

PARTICULARS OF OFFENCE.

E.M., on the day of , in the county of , sold, uttered, and published and caused or procured to be sold, uttered, and published an obscene libel the particulars of which are deposited with this indictment.

[Particulars to specify pages and lines complained of where necessary, as in a book.]

STATEMENT OF OFFENCE.

Second Count.

Procuring obscene libel [or thing] with intent to sell or publish.

Particulars of Offence.

E.M., on the day of , in the county of , procured an obscene libel [or thing], the particulars of which are deposited with this indictment, with intent to sell, utter or publish such obscene libel [or thing].

24.

Statement of Offences.

A.B., undischarged bankrupt obtaining credit, contrary to section 155 (*a*) of the Bankruptcy Act, 1914;

C.D., being accessory to same offence.

Particulars of Offences.

A.B., on the day of , in the county of , being an undischarged bankrupt obtained credit to the extent of twelve pounds from *H.S.* without informing the said *H.S.* that he then was an undischarged bankrupt.

C.D. at the same time and place did aid, abet, counsel, and procure *A.B.* to commit the said offence.

25.

Statement of Offence.

First Count.

Falsification of accounts, contrary to section 1 of Falsification of Accounts Act, 1875.

Particulars of Offence.

A.B., on the day of , in the county of , being clerk or servant to *C.D.*, with intent to defraud, made or concurred in making a false entry in a cash book belonging to the said *C.D.*, his employer, purporting to show that on the said day 100*l.* had been paid to *L.M.*

Statement of Offence.

Second Count.

Same as first count.

Particulars of Offence.

A.B., on the day of , in the county of , being clerk or servant to *C.D.*, with intent to defraud, omitted or concurred in omitting from or in a cash book belonging to the said *C.D.*, his employer, a material particular, that is to say, the receipt on the said day of 50*l.* from *H.S.*

26.

STATEMENT OF OFFENCE.

First Count.

Fraudulent conversion of property, contrary to section 1 (1) (*a*) of Larceny Act, 1901.

PARTICULARS OF OFFENCE.

A.B., on the day of , in the county of , fraudulently converted to his own use and benefit certain property, that is to say, 100*l.* entrusted to him by *H.S.*, in order that he, the said *A.B.*, might retain the same in safe custody.

STATEMENT OF OFFENCE.

Second Count.

Fraudulent conversion of property, contrary to section 1 (1) (*b*) of Larceny Act, 1901.

PARTICULARS OF OFFENCE.

A.B., on the day of , in the county of , fraudulently converted to his own use and benefit certain property, that is to say, the sum of 200*l.* received by him for and on account of *L.M.*

SECOND SCHEDULE.

ENACTMENTS REPEALED. Section 9.

Session and Chapter.	Short Title.	Extent of Repeal.
5 Geo. 4. c. 84	The Transportation Act, 1824.	Section twenty-three.
7 Geo. 4. c. 16	The Chelsea and Kilmainham Hospitals Act, 1826.	Section thirty-five from "and in "all indictments" to the end of the section.
7 Geo. 4. c. 46	The Country Bankers Act, 1826.	Section nine from "and in all "indictments" down to "crime, or offence."
7 Geo. 4. c. 64	The Criminal Law Act, 1826.	Sections fourteen, fifteen, sixteen, eighteen and nineteen.
7 & 8 Geo. 4. c. 28.	The Criminal Law Act, 1827.	Section eleven from "and in an "indictment" to "describing "the previous felony."
5 & 6 Will. 4. c. 69.	The Union and Parish Property Act, 1835.	In section seven the words "and "indictment."
11 & 12 Vict. c. 12.	The Treason Felony Act, 1848	Section five.

Session and Chapter.	Short Title.	Extent of Repeal.
11 & 12 Vict. c. 46.	The Criminal Procedure Act, 1848.	The whole Act so far as unrepealed.
12 & 13 Vict. c. 45.	The Quarter Sessions Act, 1849.	Section ten.
12 & 13 Vict. c. 103.	The Poor Law Amendment Act, 1849.	Section fifteen from "and shall "be so" to the end of the section.
14 & 15 Vict. c. 100.	The Criminal Procedure Act, 1851.	Sections one, two, three, five, seven, twenty-three, twenty-four, and twenty-five.
19 & 20 Vict. c. 54.	The Grand Juries Act, 1856.	In section one the words "and "the name of every witness examined or intended to be so "examined shall be endorsed "on such bill of indictment and "the foreman of such grand "jury shall write his initials "against the name of each witness so sworn and examined "touching such bill of indictment."
24 & 25 Vict. c. 96.	The Larceny Act, 1861	Section five; section twenty-eight, from "and in any indictment" to the end of the section; section seventy-one; in section seventy-four the words "and in either case to "lay the property in the owner "or person letting to hire"; section eighty-eight from "it "shall be sufficient" to "of "the chattel, money, or valuable security; and"; and section one hundred and sixteen from the beginning of the section to "offences; and"
24 & 25 Vict. c. 97.	The Malicious Damage Act, 1861.	Section sixty, down to "alleging "an intent to injure or defraud "any particular person; and"
24 & 25 Vict. c. 98.	The Forgery Act, 1861 -	Sections forty-two and forty-three, and section forty-four down to "any particular person; and"
24 & 25 Vict. c. 99.	The Coinage Offences Act, 1861.	Section thirty-seven from "it "shall be sufficient" to "conviction for the previous "offence; and"
24 & 25 Vict. c. 100.	The Offences against the Person Act, 1861.	Section six.

Session and Chapter.	Short Title.	Extent of Repeal.
26 & 27 Vict. c. 29.	The Corrupt Practices Prevention Act, 1863.	Section six, down to "require; "and"
30 & 31 Vict. c. 35.	The Criminal Law Amendment Act, 1867.	In section one the word "now."
32 & 33 Vict. c. 62.	The Debtors Act, 1869 -	Section nineteen.
38 & 39 Vict. c. 24.	The Falsification of Accounts Act, 1875.	Section two.
39 & 40 Vict. c. 36.	The Customs Consolidation Act, 1876.	Section twenty-nine from "and "in any information" to the end of the section.
46 & 47 Vict. c. 3.	The Explosive Substances Act, 1883.	Subsection (2) of section seven.
50 & 51 Vict. c. 71.	The Coroner's Act, 1887	In paragraph (2) of section eighteen the words "except in "the case of murder or man-"slaughter."
51 & 52 Vict. c. 64.	The Law of Libel Amendment Act, 1888.	Section seven.
61 & 62 Vict. c. 60.	The Inebriates Act, 1898	In subsection (2) of section one the words "in any indictment "under this section, it shall "be sufficient, after charging "the offence, to state that "the offender is a habitual "drunkard."
8 Edw. 7. c. 48	The Post Office Act, 1908	Section seventy-three so far as respects indictments.
8 Edw. 7. c. 59	The Prevention of Crime Act, 1908.	Subsection (3) of section ten.

CHAPTER 91.

An Act to secure the better training of Midwives in Scotland, and to regulate their practice.

[23rd December 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Certification.

1.—(1) From and after the first day of January one thousand nine hundred and seventeen any woman who, not being certified under this Act, shall take or use the name or title of midwife (either alone or in combination with any other word or words), or any name, title, addition, or description implying that she is certified under this Act, or is a person specially qualified to practise midwifery, or is recognised by law as a midwife, shall be liable on summary conviction to a fine not exceeding five pounds.

(2) From and after the first day of January one thousand nine hundred and twenty-two no woman shall habitually and for gain attend women in child-birth otherwise than under the direction of a registered medical practitioner unless she be certified under this Act; any woman so acting without being certified under this Act shall be liable on summary conviction to a fine not exceeding ten pounds: Provided this subsection shall not apply to registered medical practitioners or to anyone rendering assistance in a case of emergency.

(3) No woman shall be certified under this Act until she has complied with the rules and regulations to be laid down in pursuance of this Act.

(4) No woman certified under this Act shall employ an uncertified person as her substitute.

(5) The certificate under this Act shall not confer upon any woman any right or title to be registered under the Medical Acts or to assume any name, title, or designation implying that she is by law recognised as a medical practitioner, or that she is authorised to grant any medical certificate, or any certificate of death or of still-birth, or to undertake the charge of cases of abnormality or disease in connection with parturition, but nothing herein contained shall prevent a midwife granting such certificates as may be required by the rules of approved societies or insurance committees in connection with maternity benefit under the National Insurance Acts.

Provision for existing midwives.

2. Any woman who, within two years from the date of this Act coming into operation, claims to be certified under this Act, shall be so certified, provided she holds a certificate in midwifery from the Royal Maternity Hospital of Edinburgh, the Royal Maternity Hospital, Glasgow, the Maternity Hospital, Aberdeen, the Maternity Hospital, Dundee, the Obstetrical Society of London, the Royal College of Physicians of Ireland, the Coombe Lying-in Hospital, and Guinness's Dispensary, the Rotunda Hospital for the Relief of Poor Lying-in Women of Dublin, the National Maternity Hospital, Dublin, the Central Midwives Board for England, or such other certificate as may be approved by the Central Midwives Board for Scotland, or produces evidence satisfactory to the last-mentioned Board, that at the passing of this Act she had been for at least one year in bonâ fide practice as a midwife, and that she bears a good character.

The period of two years may be extended by the Central Midwives Board for Scotland in special cases where any woman is able to satisfy them that she had reasonable excuse for having failed to make her claim within the prescribed time.

Constitution of the Central Midwives Board for Scotland.

3. On the passing of this Act the Lord President of the Council shall take steps to secure the formation of a Central Midwives Board for Scotland (hereafter in this Act termed the Board), which shall consist of—

(1) Three persons to be appointed by the Lord President of the Council, two of whom shall be certified midwives practising in Scotland, and shall be first appointed when, in the opinion of the said Lord President, midwives so qualified are available in number sufficient to warrant such appointment; and

(2) Four persons to be appointed, one by the Association of County Councils for Scotland, one by the Convention of the Royal Burghs of Scotland, one by the Queen Victoria Jubilee Institute for Nurses (Scottish Branch), and one by the Society of Medical Officers of Health of Scotland; and

(3) Five registered medical practitioners to be appointed, one by the University Courts of the Universities of Edinburgh and St. Andrews, conjointly, one by the University Courts of the Universities of Glasgow and Aberdeen, conjointly, one by the Royal College of Physicians of Edinburgh, the Royal College of Surgeons of Edinburgh, and the Royal Faculty of Physicians and Surgeons of Glasgow, conjointly, and two by the Scottish Committee of the British Medical Association.

On the first day of February one thousand nine hundred and twenty-one, and on the first day of February in every fifth year thereafter, all the members of the Board shall retire from office together, but shall be eligible for re-appointment, and their places shall be filled by the appointment, by the same person and bodies respectively, of a like number of members possessing, where any qualification is prescribed, the same qualifications as aforesaid.

Any vacancy occurring by death or resignation or any cause other than retirement in ordinary course shall be filled by a member appointed by the person or body by whom the member whose office is vacated was appointed, and possessing, where any qualification is prescribed, the same qualification.

The Board may act notwithstanding a vacancy or vacancies in their number.

The Board shall elect a chairman from their own number.

The meetings of the Board shall be held in the city of Edinburgh, and the members shall be paid in respect of their attendance thereat reasonable expenses on a scale approved by the Privy Council.

Future revision of constitution of the Board.

4.—(1) The Board may at any time represent to the Privy Council that it is expedient to modify the constitution of the Board either by—

(*a*) increasing or diminishing the number of persons appointed by any body or person; or

(*b*) abolishing the power of appointment by any body or person; or

(*c*) conferring on any body or person a power of appointment of one or more persons; or

(*d*) altering the term of office or qualifications of any members.

(2) The Privy Council before considering such representation shall cause it to be laid before both Houses of Parliament.

(3) If either House of Parliament within forty days (exclusive of any period of adjournment for more than one week) next after such representation has been laid before the House presents an address to His Majesty declaring that the representation or any part thereof ought not to be given effect to, no further proceedings shall be taken in respect of the representation or part thereof in regard to which the address has been presented; but if no such address is presented by either House within such forty days as aforesaid, or if an address relating only to some part of such representation be so presented, the Privy Council may, if they think fit, report to His Majesty that it is expedient to give effect to the representation or to any other part thereof as the case may be; and it shall be lawful for His Majesty by Order in Council to give effect to the same, and any Order in Council so made shall have effect as if enacted in this Act.

Duties and powers of the Board.

5. The duties and powers of the Board shall be as follows:—

(1) To frame rules—

(*a*) regulating their own proceedings;

(*b*) regulating the issue of certificates and the conditions of admission to the roll of midwives;

(*c*) regulating the course of training and the conduct of examinations (which shall, so far as possible, be of a practical character) and the remuneration of the examiners;

(*d*) regulating the admission to the roll of women already in practice as midwives at the passing of this Act;

(*e*) regulating, supervising, and restricting within due limits the practice of midwives, and defining the emergencies in which a midwife shall call in a registered medical practitioner to her assistance;

(*f*) defining the conditions under which midwives may be suspended from practice;

(*g*) defining the particulars required to be given in any notice under section eighteen of this Act;

(2) To appoint examiners, one of whom shall be a registered female medical practitioner and none of whom shall be a member of the Board;

(3) To decide upon the places where, and the times when, examinations shall be held;

(4) To publish annually a roll of midwives who have been duly certified under this Act;

(5) To decide upon the removal from the roll of the name of any midwife for disobeying the rules and regulations from time to time laid down under this Act by the Board, or for other misconduct, and also to decide upon the restoration to the roll of the name of any midwife so removed;

(6) To issue and cancel certificates;

and generally to do any other act or duty which may be necessary for the due and proper carrying out of the provisions of this Act.

Rules framed under this section shall be communicated to the General Medical Council, and shall be valid only if approved by the Privy Council; and the Privy Council, before approving any such rules, shall take into consideration any representations which the General Medical Council may make with respect thereto. The General Medical Council may for the purposes of this section act through their executive committee.

Provisions as to suspensions.

6.—(1) The power of the Board to frame rules defining the conditions under which midwives may be suspended from practice shall include a power of framing rules—

(*a*) authorising the Board to suspend a midwife from practice in lieu of removing her name from the roll, and to suspend from practice until the case has been decided, and (in the case of an appeal) until the appeal has been decided, any midwife accused before the Board of disobeying rules or regulations or of other misconduct;

(*b*) authorising the local supervising authority to suspend from practice until the case has been decided any midwife against whom a prosecution has been taken for a contravention of any of the provisions of this Act.

(2) Where in pursuance of any power conferred by any such rule a midwife has been suspended from practice pending the decision of her case by a court or the Board and the case is decided in her favour, or where in pursuance of the duty imposed by paragraph (3) of section sixteen of this Act a midwife has been suspended from practice in order to prevent the spread of infection, the Board or the local supervising authority by whom she was suspended may, if they think fit, pay her

such reasonable compensation for loss of practice as under the circumstances may seem just.

Expenses of midwives.

7.—(1) The Board may, if they think fit, pay all or any part of the expenses incurred by any midwife who may be required to appear before them in her own defence, and all forms required to be filled up and returned to the Board shall be supplied gratis by the Board to certified midwives.

(2) All other forms and books which certified midwives are required to fill up or use shall be supplied to them gratis by the local supervising authority.

(3) Where any such form is required to be returned by post to the Board or the authority either the form shall be supplied duly stamped or a duly stamped envelope shall be supplied with the form.

Offences by midwives.

8. Where the Board decide upon the removal from the roll of the name of any midwife, they may, in addition, prohibit her from attending women in child-birth in any other capacity, but such decision of the Board shall be subject to the like appeal as their decision to remove her name from the roll, and, if any woman so prohibited acts in contravention of the prohibition, she shall be liable on summary conviction to a fine not exceeding ten pounds.

Return of certificate.

9. Any woman whose name is ordered to be removed from the roll for disobeying rules or regulations, or for other misconduct, shall, within fourteen days from the notification to her of the order, surrender her certificate to the Board, and, if she fails to do so, shall be liable on summary conviction to a fine not exceeding five pounds.

Notification to local supervising authorities of removal of names from roll.

10. Where the name of a woman has been removed from the roll of midwives, the Board shall forthwith give notice of the fact to all local supervising authorities concerned.

Reciprocal treatment of midwives certified in other parts of His Majesty's dominions.

11.—(1) Any woman who produces evidence satisfactory to the Board that she has been trained as a midwife and certified in any other part of His Majesty's dominions in which there is for the time being in force any Act or ordinance for the certification and registration of midwives under a public authority, and which admits to its register midwives certified under this Act on reciprocal terms, shall, on payment of the like fee as is payable in ordinary cases, be entitled to be certified under this Act: Provided that the standard of training and examination required in such other part of His Majesty's dominions is in the opinion of the Board equivalent to the standard adopted by the Board.

(2) If any question arises under this section as to the right of a woman to be certified under this Act, the question shall be determined by the Privy Council.

12. Any woman thinking herself aggrieved by any decision of the Board removing her name from the roll of midwives may appeal therefrom to either division of the Court of Session within three months after the notification of such decision to her; but no further appeal shall be allowed. Appeal from decision of the Board.

13. There shall be payable by every woman presenting herself for examination or certificate such fee as the Board may, with the approval of the Privy Council, from time to time determine, such fee not to exceed the sum of one guinea. All such fees paid by midwives in practice at the passing of this Act and by candidates for examination shall be paid to the Board. The Board shall devote such fees to the payment of expenses connected with the examination and certificate and to the general expenses of the Board. The Board shall, as soon as practicable after the thirty-first day of December in each year, publish a financial statement made up to that date, and showing the receipts and expenditure, including liabilities, of the Board, during the year, which statement shall be certified as correct by an accountant practising in Scotland to be appointed annually by the Secretary for Scotland. The Board shall submit a copy of such statement to the Privy Council, and, if the statement shows any balance against the Board and such balance is approved by the Privy Council, whose approval shall be binding and conclusive as to the amount of the balance to be apportioned, the Board may apportion such balance between the local supervising authorities in proportion to the populations of their districts as ascertained at the last preceding census. The Board may issue precepts to the local supervising authorities for the amounts so respectively apportioned to them. The local supervising authorities shall within six months after the receipt of such precepts, or such longer period as may be agreed with the Board, pay to the Board the amounts so payable by them respectively. Fees and expenses.

14. There shall be a roll of midwives containing— Midwives roll.

(1) The names of those midwives who have been certified under section two of this Act;

(2) The names of all other midwives who have been certified under this Act.

The entry on the roll shall in every case indicate the conditions in virtue of which the certificate was granted.

15. The Board shall, with the previous sanction of the Privy Council, appoint a secretary and such other officers as may be required, and every person so appointed shall be paid such salary as the Privy Council may approve, and shall be removable at the pleasure of the Board. The secretary, acting under the instructions of the Board, shall be charged with the preparation, correction, and custody of the roll. Appointment of secretary and supplemental provision as to certificate

A copy of the roll of midwives purporting to be printed by the authority of the Board or to be signed by the secretary of the

Board, or other person authorised by the Board to sign on his behalf, shall be evidence in all courts that the women therein specified are certified under this Act; and the absence of the name of any woman from such copy shall be evidence until the contrary be made to appear that such woman is not certified under this Act: Provided always that, in the case of any woman whose name does not appear in such copy, a certificate under the hand of the secretary, or other person authorised as aforesaid, of the entry of the name of such woman on the roll shall be evidence that such woman is certified under this Act.

A certificate purporting to be signed by the secretary, or other person authorised as aforesaid, that the name of a woman whose name appears in the roll of midwives has been removed from the roll and of the date of such removal shall be evidence that such woman is not certified under this Act and of the date as from which she ceased to be so certified.

Local supervision of midwives.

16. The local authority of every district, in which this Act is operative, shall be the local supervising authority over midwives within such district. It shall be the duty of the local supervising authority, by themselves, or by their medical officer acting under their instruction—

(1) to exercise general supervision over all midwives practising within their district in accordance with the rules to be laid down under this Act;

(2) to investigate charges of malpractice, negligence, or misconduct, on the part of any midwife practising within their district, and, should a primâ facie case be established, to report the same to the Board;

(3) to suspend any midwife from practice, in accordance with the rules under this Act, if such suspension appears necessary in order to prevent the spread of infection;

(4) to report at once to the Board the name of any midwife practising in their district convicted of an offence under this Act;

(5) To report at once to the Board the death of any midwife or any change in the name and address of any midwife in their district, so that the necessary alteration may be made in the roll;

(6) to supply to the secretary of the Board, during the month of January of each year, the names and addresses of all midwives who during the preceding year have notified their intention to practise within their district, and to keep a current copy of the roll of midwives, accessible at all reasonable times for public inspection;

(7) to give due notice of the effect of the Act, so far as practicable, to persons at the commencement of this Act using the title of midwife, within their district.

The local supervising authority may delegate, with or without any instructions or conditions as they may think fit, any powers or duties conferred or imposed upon them by or in pursuance of this Act, to a committee appointed by them, and consisting, either wholly or to the extent of two-thirds or more, of members of the authority, and women shall be eligible to serve on any such committees.

Powers of entry.

17. For the purpose of exercising the powers of supervision over midwives conferred on local supervising authorities, any officer appointed by such an authority for the purpose may at all reasonable times enter any premises which he has reason to believe to be a lying-in home conducted for profit within the district of the authority, and in which he has reason to believe that a certified midwife is employed or practises, or that a woman not a certified midwife practises in contravention of this Act, and any person who wilfully obstructs any such officer in the performance of his duties, shall, on summary conviction, be liable to a fine not exceeding five pounds.

Notification of practice.

18.—(1) Every woman certified under this Act shall, before holding herself out as a practising midwife or commencing to practise as a midwife in any district, give notice in writing of her intention so to do and of the address at which she resides to the local supervising authority, and shall give a like notice in the month of January in every year thereafter during which she continues to practise in such district.

Such notice shall be given to the local supervising authority of the district within which such woman usually resides or carries on her practice, and the like notice shall be given to every other local supervising authority within whose district such woman at any time practises or acts as a midwife, within forty-eight hours at the latest after she commences so to practise or act.

Every such notice shall contain such particulars as may be required by the rules under this Act to secure the identification of the person giving it; and if any woman omits to give the said notices or any of them, or knowingly or wilfully makes or causes or procures any other person to make any false statement in any such notice, she shall, on summary conviction, be liable to a fine not exceeding five pounds.

(2) Where a woman certified under this Act has given a notice in compliance with subsection (1) of this section and subsequently changes her address, she shall, within three days after such change, give notice of the change to every local supervising authority concerned, and, if she omits to do so, shall, on summary conviction, be liable to a fine not exceeding five pounds.

Penalty for obtaining a certificate by false representation.

19. Any woman who procures or attempts to procure a certificate under this Act by making or producing, or causing to be made or produced, any false and fraudulent declaration, certificate, or representation, either in writing or otherwise,

shall be guilty of a crime and offence, and shall, on conviction thereof, be liable to be imprisoned, with or without hard labour, for any term not exceeding twelve months.

Penalty for wilful falsification of the roll.

20. Any person wilfully making or causing to be made any falsification in any matter relating to the roll of midwives shall be guilty of a crime and offence, and shall be liable to be imprisoned, with or without hard labour, for any term not exceeding twelve months.

Supervising authority may contribute towards training.

21. Local supervising authorities are hereby authorised to contribute towards the training of midwives within or without their respective areas in such manner and to such extent as may be approved by the Local Government Board for Scotland.

Medical assistance in case of emergency.

22.—(1) In case of an emergency, as defined in the rules framed under section five (1) (*e*) of this Act, a midwife shall call in to her assistance a registered medical practitioner, and the local supervising authority shall pay to such medical practitioner a sufficient fee, with due allowance for mileage, according to a scale to be fixed by the Local Government Board for Scotland, and such fee shall cover one subsequent visit.

(2) It shall be a condition of the payment of such fee that the medical practitioner so called in shall state in his claim to the local supervising authority the nature of the emergency.

(3) The midwife shall report forthwith to the local supervising authority each case of emergency in which she has called in a registered medical practitioner to her assistance, stating the nature of the emergency and the name of the medical practitioner.

(4) The local supervising authority shall have power to recover the fee from the husband or guardian of the patient as an alimentary debt, unless it be shown to their satisfaction that such husband or guardian is unable by reason of poverty to pay such fee.

Annual report of local supervising medical officer.

23. The medical officer of every local supervising authority shall report annually to that authority on the administration of the Act within the district of the local authority, and he shall transmit a copy of such report to the Board and to the Local Government Board for Scotland.

Annual report of the Board.

24. The Board shall present to the Privy Council a report of their proceedings during each year within three months of the termination of the year containing such particulars as the Privy Council may direct.

Expenses of local supervising authority.

25. Any expenses under this Act payable by the local supervising authority shall be defrayed out of the public health general assessment.

Act not to apply to medical practitioners.

26. Nothing in this Act respecting midwives shall apply to registered medical practitioners.

Application.

27. This Act shall apply to all districts in Scotland, excepting such districts as the Local Government Board for Scotland may, by order (which they are hereby empowered to make), exclude from the operation of the Act.

Definitions.

28. In this Act—

The term "midwife" means a woman who is certified under this Act unless the context otherwise requires:

"Local authority" and "district" shall have the same meanings as in the Public Health (Scotland) Act, 1897. 60 & 61 Vict. c. 38.

Short title, extent, and commencement.

29. This Act may be cited as the Midwives (Scotland) Act, 1915, and shall apply to Scotland only. It shall, except as otherwise provided by this Act, come into operation on the first day of January one thousand nine hundred and sixteen.

CHAPTER 92.

An Act to enable the Judicial Committee of the Privy Council to sit in more than one Division at the same time. [23rd December 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power of Judicial Committee of the Privy Council to sit in more than one division at the same time.

1.—(1) The Judicial Committee of the Privy Council may, subject to the approval of the Lord Chancellor and the Lord President of the Council, sit in more than one division at the same time, and in such case anything which may be done to, by or before the Judicial Committee may be done to, by or before any such division of the Judicial Committee.

(2) The power of His Majesty in Council to make rules as to the practice and procedure before the Judicial Committee shall include the power to make orders for the constituting of divisions and the holding of divisional sittings of the Judicial Committee.

Short title.

2. This Act may be cited as the Judicial Committee Act, 1915.

CHAPTER 93.

An Act to make provision, in connection with Loans raised for the purposes of the present War, for the establishment of a Post Office stock register, and as to stock inscribed in that register, and to make certain amendments, in connection with such Loans and generally in connection with War Finance, in the Law relating to Savings Banks, Friendly Societies, Trade Unions, and otherwise. [23rd December 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Establishment of Post Office stock register.

1.—(1) The Treasury may provide for the establishment of a Post Office stock register (in this Act referred to as "the register"), and may direct that any four and a half per cent. War Loan Stock, 1925–1945, or any other stock issued in connection with any loan raised for the purposes of the present war, which is not inscribed in the names of individual holders in the books of the Bank of England or the Bank of Ireland, shall be inscribed in the register.

(2) The Treasury, in conjunction with the Postmaster General, and in conjunction with the National Debt Commissioners so far as any regulations relate to those Commissioners, may make regulations with respect to the keeping of the register, and the stock required to be inscribed therein, and in particular with respect to—

(*a*) investments in and sales of any such stock and the receipt and payment of dividends thereon; and

(*b*) the manner in which and the conditions subject to which stock may be transferred either from the name of one holder inscribed on the register to that of any other person so inscribed or to be inscribed, or from the register to the books of the Bank of England or the Bank of Ireland, and vice versa; and

(*c*) the commissions and fees payable in respect of dealings in stock inscribed in the register; and

(*d*) the maximum amount of stock which may be inscribed in the register in any one holding in any one year, or at any one time, and the exceptions which are to be allowed from any such limits in the case of friendly societies, trade unions, or other similar bodies.

(3) Regulations made under this Act may provide for the total amount of stock inscribed in the register being held by the National Debt Commissioners and inscribed in their names in the books of the Bank of England, and for the application,

with such modifications as appear necessary or expedient, to stock inscribed in the register, or to bearer bonds issued under this Act, of any of the provisions of the National Debt Act, 1870, and of any Act, regulation or warrant relating to savings banks, and may contain such consequential and supplemental provisions as appear necessary or expedient for giving full effect to the regulations. 33 & 34 Vict. c. 71.

2. Regulations made under this Act may provide, in connection with any stock inscribed in the register, for the issue through the Post Office of bearer bonds for such amounts as may be provided by the regulations, with coupons annexed entitling the bearer of the coupons to the dividends on the stock. Issue through Post Office of bearer bonds.

3. The interest on any stock inscribed in the register which does not exceed the nominal amount of two hundred pounds shall be paid without deduction of income tax; but any such interest shall be accounted for and charged to income tax under the third case of Schedule D, subject, however, to any provisions of the Income Tax Acts with respect to exemptions or abatements. Income tax on stock inscribed in the register.

4.—(1) If any dispute arises between the Postmaster General, or the trustees of any savings bank, and the holder of any stock inscribed in the register, or any person claiming to be entitled to any such stock, the matter in dispute shall be referred in writing to the Chief Registrar of Friendly Societies. Settlement of disputes.

(2) On any such reference being made, the Chief Registrar may proceed ex parte on notice in writing sent by post to the Postmaster General or trustees, and may inspect the register, and may administer oaths to any witnesses appearing before him; and his award on the matter in dispute shall be final and binding on all parties.

(3) In the application of this section to Scotland and Ireland, the assistant registrar for Scotland or Ireland, respectively, shall be substituted for the Chief Registrar of Friendly Societies.

5. Where any money which may be raised under the War Loan Act, 1915, is raised through the Post Office, the Treasury may make regulations as to the manner in which and conditions under which the money may be raised, and may by those regulations apply any provisions of any Act, including this Act, relating to deposits in savings banks, with such modifications as appear necessary or expedient. Regulations as to loans raised through the Post Office. 5 & 6 Geo. 5. c. 55.

6. Any regulations made under this Act shall be laid before each House of Parliament as soon as may be. Regulations to be laid before Parliament.

7.—(1) The Treasury may, by order, direct that any provisions of any Act by which a limit is imposed on the amount which may be deposited in savings banks shall for such time (not being longer than the duration of the present war and a Power to remove or alter temporarily limit on savings banks deposits.

period of six months thereafter) and subject to such conditions as may be specified in the order, cease to have effect, or be modified to such an extent as may be specified in the order.

(2) Where any such order is made, the amount (if any) by which the deposit at the time when the order ceases to have effect of any person affected by the order exceeds the deposit of that person at the time when the order was made, shall, as from the time when the order ceases to have effect, be disregarded in calculating, for the purposes of any limit on the total amount which may be deposited, the amount deposited by that person.

Power of Public Trustee to hold securities of friendly societies, &c. 1 & 2 Geo. 5. c. 55.

8.—(1) Notwithstanding anything in any Act to the contrary, any part of the funds of any registered friendly society or any branch thereof, or of any registered trade union or society approved for the purposes of the National Insurance Act, 1911, and any stocks, shares, or securities held by or on behalf of any such society, union, or branch, may, if the Public Trustee agrees to such transfer, and rules of the society, union, or branch are made for the purpose, be transferred to the Public Trustee.

(2) The Public Trustee shall invest, in accordance with the rules, any funds so transferred to him, and shall pay the interest on any stocks, shares, or securities acquired by or transferred to him in pursuance of this section to the trustees of the society, union, or branch; and shall, if and when so required by those trustees, transfer the capital of the stocks, shares, or securities to them, or realise the same and transfer the proceeds to them.

(3) Pending the making of rules, any War Loan Stock, 1925–1945, held by or on behalf of any such society, union, or branch may, if the Public Trustee agrees to such transfer, be transferred to him as though rules were made for the purpose.

(4) The Public Trustee shall be completely exonerated from any liability in relation to any stock, shares, or securities held by him in pursuance of this section, and no action shall lie against the Public Trustee in respect of any such stock, shares, or securities, provided that he acts in accordance with the provisions of this section.

(5) This section shall be deemed to have had effect as from the second day of July nineteen hundred and fifteen.

(6) This section shall not apply to Scotland.

Investment of funds of friendly societies, &c. in Scotland.

9.—(1) Notwithstanding anything in any enactment to the contrary, it shall be lawful, when provision is made therefor by the rules of any friendly society or trade union registered in Scotland, or of any society approved by the Scottish Insurance Commissioners for the purpose of the National Insurance Act, 1911, or of any branch of such society or union, for any funds of such society or union or branch which may lawfully be invested in stock issued in connection with any loan raised for the purposes of the present war, to be invested in such stock in the name of the "Accountant of Court," provided that pending the making of rules so providing it shall be lawful for the executive

body of such society, union, or branch to invest any such funds in the said stock in the name of the "Accountant of Court" as if such provision were made by the rules.

(2) When any funds of such society, union, or branch are so invested in any such stock in the name of the "Accountant of Court," the exercise of any power or discretion exerciseable by the trustees or executive body of such society, union, or branch in relation to such funds, shall remain vested in such trustees or executive body, and the Accountant of Court shall concur in and perform all acts necessary to enable the exercise of any such power or discretion by the trustees or executive body, and shall not be liable for any act or default on the part of such trustees or executive body.

(3) All sums payable by way of interest or dividend on such investment or in respect of the sale or realisation of the same, shall when received by the Accountant of Court be paid over by him to the trustees or executive body of such society, union, or branch, or to such person or into such bank to the credit of such person as the trustees or executive body may direct, and on such payment the Accountant of Court shall be exonerated from seeing to the application of such sums, and shall not be answerable for any loss or misapplication thereof.

Amount which may be paid in any one day by National Debt Commissioners to savings bank. 26 & 27 Vict. c. 87.

10. The limit of ten thousand pounds imposed by section twenty-seven of the Trustee Savings Banks Act, 1863, on the amount for which the National Debt Commissioners may issue orders for payment on any one day on account of the same savings bank may be exceeded if it appears to the National Debt Commissioners that, owing to any special circumstances existing at the time, it is desirable that the limit should be exceeded.

Short title.

11. This Act may be cited as the War Loan (Supplemental Provisions) Act, 1915, and so far as it relates to Post Office Savings Banks may be cited with the Post Office Savings Banks Acts, 1861 to 1908, and so far as it relates to trustee savings banks may be cited with the Trustee Savings Banks Acts, 1861 to 1904.

CHAPTER 94.

An Act to amend the Law of Evidence.

[23rd December 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Evidence of depositions of witnesses engaged on naval or military service.

1. If, during the continuance of the present war, upon the trial of a person accused of an indictable offence, it is proved that any person whose deposition has been duly taken before the justice or justices by whom the accused was committed for trial is unable to attend the trial, having regard to the necessities of the public service, by reason of being actively engaged in the naval or military service of His Majesty, and if also it is proved that such deposition was taken in the presence of the person so accused, and that (except in the case of a deposition by a witness on behalf of the accused) he or his counsel or attorney had a full opportunity of cross-examining the witness, then, if such deposition purports to be signed by the justice by or before whom the same purports to have been taken, it shall be lawful to read such deposition as evidence at the trial without further proof thereof unless it is proved that such deposition was not in fact signed by the justice purporting to sign the same :

Provided that no deposition shall be read in evidence under the powers of this section save with the consent of the court before which the trial takes place.

Power to give in evidence statements of witnesses at preliminary investigations.
5 & 6 Geo. 5. c. 8.

2.—(1) Where a person is tried either by court-martial or by a civil court with a jury (including as respects Scotland the High Court of Justiciary) for any offence against any regulations made under the Defence of the Realm Consolidation Act, 1914, as amended by any subsequent enactment, and the charge has previously been investigated and a summary of evidence taken by the proper military authority in accordance with the provisions of the Army Act and the rules of procedure made thereunder, then, on any such trial—

(*a*) the evidence on oath of any witness which is proved to have been taken down in writing at such investigation, in accordance with those rules, and purports to be signed or attested and witnessed in accordance therewith, may, if it is further proved that the witness is dead, or so ill as not to be able to travel, or unable to attend, having regard to the necessities of the public service, by reason of his being actively engaged in the naval or military service of His Majesty, be read as evidence without further proof thereof, unless it is proved that the evidence was not in fact signed or attested and witnessed in accordance with those rules ; and

(*b*) any statement of the accused added in writing in accordance with those rules may, if necessary, be given in evidence against him without further proof thereof,

and a statement appended to the summary purporting to be signed by the officer before whom the summary was taken, that the evidence contained in the summary was taken in accordance with the said rules shall be evidence of the fact so stated, and that officer shall be deemed to be the proper military authority

to take the summary, unless the contrary is proved: Provided that no evidence shall be received under the powers of this section save with the consent of the court before which the trial takes place.

(2) For removing doubts it is hereby declared that the evidence of any witness on any such investigation may be taken on oath, and the officer conducting the investigation has power to administer oaths for the purpose.

Substitution of imprisonment for sentence of death.

3. Where any person has been convicted of an offence punishable by death upon evidence solely contained in depositions which have been read in evidence at the trial under the powers conferred by this Act, the punishment of death shall not be inflicted, but the court may pass such sentence of imprisonment or penal servitude as it may think just.

Proof of naval or military service.

4. A certificate signed by a secretary or assistant secretary of the Admiralty or Army Council that a person is unable to attend, having regard to the necessities of the public service, by reason of his being actively engaged in the naval or military service of His Majesty, shall for the purposes of this Act be conclusive evidence of the fact so certified, and a certificate purporting to be signed by such a secretary or assistant secretary shall be deemed to be such a certificate as aforesaid unless the contrary is proved.

Application of documentary Acts to Army Council and Secretary Scotland.
31 & 32 Vict. c. 37.
45 & 46 Vict. c. 9.

5. The Documentary Evidence Act, 1868, as amended by the Documentary Evidence Act, 1882, shall apply to the Army Council as if the Army Council was mentioned in the first column of the Schedule to the first-mentioned Act, and as if two members of the Army Council, or the Secretary to the Army Council, or any person authorised by the Army Council to act on their behalf, were mentioned in the second column of that Schedule, and shall apply to the Secretary for Scotland as if the Secretary for Scotland were mentioned in the first column of the said Schedule and as if the Secretary for Scotland or an under secretary or assistant under secretary for Scotland were mentioned in the second column of that Schedule, and shall apply to the Local Government Board for Ireland as if the Local Government Board for Ireland were mentioned in the first column of the said Schedule, and as if a commissioner of the Local Government Board for Ireland or a secretary or assistant secretary of the said Board were mentioned in the second column of that Schedule.

Short title.

6. This Act may be cited as the Evidence (Amendment) Act, 1915.

CHAPTER 95.

An Act to suspend in connection with the present War the Grants payable under paragraph (2) of section nineteen of the Elementary Education Act, 1876, and the Education Code (1890) Act, 1890, and to provide for the payment of other Grants in lieu thereof.

[23rd December 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provisions as to small population grants.
39 & 40 Vict. c. 79. s. 19.
53 & 54 Vict. c. 22.

1.—(1) The Parliamentary grants (herein-after referred to as small population grants) payable under paragraph (2) of section nineteen of the Elementary Education Act, 1876, and the Education Code (1890) Act, 1890, as amended by any subsequent enactments, shall be suspended in respect of the period herein-after mentioned, and in lieu thereof there shall be paid out of moneys provided by Parliament to the several local education authorities in respect of each year ending the thirtieth day of September during the period herein-after mentioned, a grant equal to the aggregate amount (if any) of the sums received by the authority by way of small population grants in respect of schools in its area for the school years of those schools which ended after the thirtieth day of September nineteen hundred and fourteen and before the first day of October nineteen hundred and fifteen.

Such grant as aforesaid shall be paid in such instalments and at such times as will secure that a local education authority shall receive sums on account of the grant corresponding as nearly as may be to those received by the authority in respect of the last small population grants.

(2) The period herein-before referred to shall—

(*a*) as respects the grant payable to local education authorities under this section, be the period commencing on the first day of October, nineteen hundred and fifteen, and ending on the thirtieth day of September next after the termination of the present war, or on any subsequent thirtieth day of September (not being more than three years later), as the Board of Education may by minute to be laid before Parliament determine; and

(*b*) as respects the suspension of the small population grant, be, in relation to each school, the period commencing at the date when the school year

current on the said first day of October commenced, and continuing for the same number of years as are comprised within the period mentioned in paragraph (*a*).

2. This Act may be cited as the Education (Small Population Grants) Act, 1915. Short title.

CHAPTER 96.

An Act to make provision with respect to Obligations incurred by or on behalf of His Majesty's Government for the purposes of the present War or in connection therewith. [23rd December 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extensions of the Government War Obligations Act, 1914. 5 & 6 Geo. 5. c. 11.

1.—(1) Section one of the Government War Obligations Act, 1914 (in this Act referred to as the principal Act), which relates to the provision of money for the fulfilment of Government war obligations incurred before the passing of that Act, shall be extended so as to include the provision in the like manner of money for the fulfilment of any Government war obligations incurred before the passing of this Act.

(2) Section three of the principal Act, which makes provision as to the validity of action taken in certain cases by associations or bodies of persons approved by the Board of Trade, shall apply to action taken for the purpose of carrying out any Government scheme in connection with the present war for the grant of compensation in respect of persons killed or injured on merchant ships as the result of hostilities, in like manner as it applies to action taken for the purpose of carrying out any such scheme for the relief of dependents of persons on insured ships.

(3) The schedule to the principal Act, which sets out the Government war obligations, shall be extended so as to include obligations incurred in connection with the present war in respect of payments—

(*a*) for the relief of dependents of persons on any merchant ship or fishing vessel;

(*b*) for compensation in respect of persons killed or injured on any merchant ship or fishing vessel;

(*c*) on contracts of insurance against war risks of the personal effects of masters, officers, seamen, and fishermen; and

(*d*) in respect of aircraft and bombardment insurance contracts;

(so far as provision is not made for those payments by the application of premiums or otherwise) or in respect of—

(*e*) any arrangements for restricting the supply of any commodities to the enemy;

(*f*) any arrangements for the regulation of the foreign exchanges;

(*g*) any scheme in connection with any such last-mentioned arrangements for enabling securities to be placed at the disposal of the Treasury (in this Act referred to as a Treasury securities deposit scheme); and

(*h*) any exchange of obligations with any Powers allied with His Majesty in the present war.

Provision with respect to deposit of securities with the Treasury.

2.—(1) Securities may be deposited with the Treasury or given to the Treasury in exchange for Government securities, for the purpose of, and in accordance with the conditions of, any Treasury securities deposit scheme, notwithstanding that those securities are subject to any trust, and notwithstanding any provisions of the trust, whether arising by deed, Act of Parliament, or otherwise; and any persons holding any such securities are hereby expressly authorised so to deposit the securities or give them in exchange in accordance with any such scheme, and shall not be liable for any loss arising therefrom, and, in the case of a company, or body of persons, are so authorised notwithstanding anything in their constitution.

(2) Any deposit receipts or documents of a like nature given in respect of securities so deposited, and any Government securities taken in exchange for securities exchanged, shall be held by the persons depositing the securities or giving them in exchange subject to the same trusts as the securities deposited or given in exchange, as the case may be.

(3) Any person having power to invest in, hold, advance money on, or deal with securities represented by any such deposit receipt may invest in, hold, advance money on, and deal with the deposit receipts in the same manner as the securities which the receipts represent, and any person taking Government securities in exchange in pursuance of this section may hold and deal with those securities as if they were the securities given in exchange.

Where the Treasury so direct as respects any class of transaction for the purpose of any Treasury securities deposit scheme or any special transaction for the purpose of any such scheme, stamp duty shall not be payable in respect of that class of transaction or transaction; and a deposit with the Treasury, or sale to the Treasury, or exchange with the Treasury, for the purpose of any such scheme of a security transferable by delivery shall not, for the purpose of the Stamp Act, 1891, and the Acts amending the same, be deemed to be a negotiation of the security.

54 & 55 Vict. c. 39.

(4) None of the provisions of the House of Commons (Disqualification) Act, 1782, or the House of Commons (Disqualifications) Act, 1801, shall be construed so as to extend to any deposit of securities with the Treasury or any exchange of securities with or sale of securities to the Treasury for the purpose of and in accordance with the conditions of any Treasury securities deposit scheme. 22 Geo. 3. c. 45. 41 Geo. 3. c. 52.

3. For the purposes of section two of the National Insurance (Part I. Amendment) Act, 1915, any scheme for compensation in respect of persons injured on any merchant ship or fishing vessel in connection with which any Government obligations are incurred shall have the same effect as if it were an Act of Parliament. Provision with respect to compensation for persons injured on merchant ships or fishing vessels. 5 & 6 Geo. 5. c. 29.

4. This Act may be cited as the Government War Obligations Act, 1915, and the principal Act and this Act may be cited together as the Government War Obligations Acts, 1914 and 1915. Short title.

Repealed by the Increase of Mortgage Interest (Restrictions) Act 1920

This Act precludes a claim for double rent under 4 Geo. 2., c. 28 or for use & occupation Cook v Whitbread 1919 W. N. 185

CHAPTER 97.*

An Act to restrict, in connection with the present War, the Increase of the Rent of Small Dwelling-houses and the Increase of the Rate of Interest on, and the Calling in of, Securities on such Dwelling-houses.

[23rd December 1915.]

Kelly v Parker 1916 2 Ch. 1

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

* Ellen v Goldstein 1920 W. N. 253 (dwelling house)

1.—(1) Where the rent of a dwelling-house to which this Act applies, or the rate of interest on a mortgage to which this Act applies, has been, since the commencement of the present war, or is hereafter during the continuance of this Act, increased above the standard rent or the standard rate of interest as herein-after defined, the amount by which the rent or interest payable exceeds the amount which would have been payable had the increase not been made shall, notwithstanding any agreement to the contrary, be irrecoverable: Restriction on raising rent or rate of mortgage interest.

Shark v Chan 1917 W. N. 84; 1917 1 K.B. 771

See the Courts Emergency Powers Act 1917 s. 5

Provided that—

(i) This subsection shall not apply to any rent or mortgage interest which accrued due before the twenty-fifth day of November nineteen hundred and fifteen; and

King v York 1919 W. N. 59

(ii) Where the landlord has since the commencement of the present war incurred, or during the continuance of this Act incurs, expenditure on the improvement

Flannigan v Shaw 1919 W. N. 139; 287

* Amended by the Courts' Emergency Powers No. 2 Act 1916; the Courts' Emergency Powers Act 1917; the Increase of Rent and Mortgage Interest (Restrictions) Act 1919; the Increase of Rent &c (amendment) Act 1918; the Increase of

Woolley v Mann 1916 W. N. 390

or structural alteration of a dwelling-house (not including expenditure on decoration or repairs), an increase of rent at a rate not exceeding six per cent. per annum on the amount so expended shall not be deemed to be an increase for the purposes of this Act; and

(iii) Any transfer to a tenant of any burden or liability previously borne by the landlord shall for the purposes of this Act be treated as an alteration of rent, and where, as the result of such a transfer, the terms on which a dwelling-house is held are on the whole less favourable to the tenant than the previous terms the rent shall be deemed to be increased, whether or not the sum periodically payable by way of rent is increased, and any increase of rent in respect of any transfer to a landlord of any burden or liability previously borne by the tenant where, as the result of such transfer, the terms on which a dwelling-house is held are on the whole more favourable to the tenant than the previous terms shall be deemed not to be an increase of rent for the purposes of this Act, and if any question arises under this proviso the question shall be determined by the county court, whose decision shall be final and conclusive; and

Sutton v Holleston 1918 W. N. 237

Steel v Mahoney 1918 W. N. 253.

Nicholson v Jackson 1920 W. N. 186

(iv) Where the landlord pays the rates chargeable on, or which but for the enactments relating to compounding would be chargeable on, the occupier of any dwelling-house, an increase of the rent of the dwelling-house shall not be deemed to be an increase for the purposes of this Act if the amount of the increase does not exceed any increase in the amount for the time being payable by the landlord in respect of such rates over the corresponding amount paid in respect of the yearly, half yearly or other period which included the third day of August nineteen hundred and fourteen, and for the purposes of this proviso the expression "rates" includes water rents and charges; and

(v) Where the rate of mortgage interest has been increased in compliance with, or in consequence of, a notice in writing demanding either repayment of the mortgage or an increased rate of interest given prior to the fourth day of August nineteen hundred and fourteen, such increase shall not be deemed to be an increase for the purposes of this Act; and

Amended by the Increase of Rent &c Act 1919, s. 5 (3)

(vi) Wherever an increase of rent is by this Act permitted, or in respect of any period prior to the expiry of four clear weeks after the landlord no such increase shall be due or recoverable until

has served upon the tenant a notice in writing of his intention to increase the rent, accompanied—

(*a*) where the increase of rent is on account of such expenditure as is mentioned in proviso (ii) to this subsection, by a statement of the improvements or alterations effected and of their cost; and

(*b*) where the increase of rent is on account of an increase in rates, by a statement showing particulars of the increased amount charged in respect of rates on the dwelling-house; and

(*c*) where such a notice has been served on any tenant the increase may be continued without service of any fresh notice on any subsequent tenant.

(2) A person shall not in consideration of the grant, renewal, or continuance of a tenancy of any dwelling-house to which this Act applies require the payment of any fine, premium, or other like sum in addition to the rent, and where any such payment has been made in respect of any such dwelling-house after the twenty-fifth day of November nineteen hundred and fifteen, then the amount shall be recoverable by the tenant by whom it was made from the landlord, and may without prejudice to any other method of recovery be deducted from any rent payable by him to the landlord, but this provision shall not apply to any payment under an agreement entered into before the fourth day of August 1914.

(3) No order for the recovery of possession of a dwelling-house to which this Act applies or for the ejectment of a tenant therefrom shall be made so long as the tenant continues to pay rent at the agreed rate as modified by this Act and performs the other conditions of the tenancy, except on the ground that the tenant has committed waste or has been guilty of conduct which is a nuisance or an annoyance to adjoining or neighbouring occupiers, or that the premises are reasonably required by the landlord for the occupation of himself or some other person in his employ, or in the employ of some tenant from him, or on some other ground which may be deemed satisfactory by the court making such order, and where such order has been made but not executed before the passing of this Act the court by which the order was made may, if it is of opinion that the order would not have been made if this Act had been in operation at the date of the making of the order, rescind or vary the order in such manner as the court may think fit for the purpose of giving effect to this Act.

(4) It shall not be lawful for any mortgagee under a mortgage to which this Act applies, during the continuance of this Act, and so long as interest at the standard rate is paid and is not more than twenty-one days in arrear, and the covenants

by the mortgagor (other than the covenant for the repayment of the principal money secured) are performed and observed, and so long as the mortgagor keeps the property in a proper state of repair and pays all interest and instalments of principal recoverable under any prior encumbrance, to call in his mortgage or to take any steps for exercising any right of foreclosure or sale, or for otherwise enforcing his security or for recovering the principal money thereby secured:

Provided that this provision shall not apply to a mortgage where the principal money secured thereby is repayable by means of periodical instalments extending over a term of not less than ten years from the creation of the mortgage, nor shall this provision affect any power of sale exerciseable by a mortgagee who was at the twenty-fifth day of November nineteen hundred and fifteen a mortgagee in possession, or in cases where the mortgagor consents to the exercise by the mortgagee of the powers conferred by the mortgage:

Provided also that if, in the case of a mortgage of a leasehold interest, the mortgagee satisfies the county court that his security is seriously diminishing in value or is otherwise in jeopardy, and that for that reason it is reasonable that the mortgage should be called in and enforced, the court may by order authorise him to call in and enforce the same, and thereupon this subsection shall not apply to such mortgage.

Interpretation and application.

2.—(1) For the purposes of this Act except where the context otherwise requires:—

Standard rent means the rent received by the lease Holminster Pre Co v. Simmons 1919 W.N. 241 & Baker v. Hood as to effect of Com Production Act 1917 & the regulations thereunder 1920 W.N. 53

(*a*) The expression "standard rent" means the rent at which the dwelling-house was let on the third day of August nineteen hundred and fourteen, or, where the dwelling-house was not let on that date, the rent at which it was last let before that date, or, in the case of a dwelling-house which was first let after the said third day of August, the rent at which it was first let:

(*b*) The expression "standard rate of interest" means in the case of a mortgage in force on the third day of August nineteen hundred and fourteen, the rate of interest payable at that date, or, in the case of a mortgage created since that date, the original rate of interest:

(*c*) The expression "rateable value" means the rateable value on the third day of August nineteen hundred and fourteen, or, in the case of a house or part of a house first assessed after that date, the rateable value at which it was first assessed:

(*d*) The expressions "landlord," "tenant," "mortgagee," and "mortgagor" include any person from time to

time deriving title under the original landlord, tenant, mortgagee, or mortgagor :

(*e*) The expression "mortgage" includes a land charge under the Land Transfer Acts, 1875 and 1897. 38 & 39 Vict. c. 87. 60 & 61 Vict. c. 65.

(2) This Act shall apply to a house or a part of a house let as a separate dwelling where such letting does not include any land other than the site of the dwelling-house and a garden or other premises within the curtilage of the dwelling-house, and where either the annual amount of the standard rent or the rateable value of the house or part of the house does not exceed—

(*a*) in the case of a house situate in the metropolitan police district, including therein the city of London, thirty-five pounds ;

(*b*) in the case of a house situate in Scotland, thirty pounds ; and

(*c*) in the case of a house situate elsewhere, twenty-six pounds ;

and every such house or part of a house shall be deemed to be a dwelling-house to which this Act applies : Provided that this Act shall not apply to a dwelling-house let at a rent which includes payments in respect of board, attendance, or use of furniture.

(3) Where, for the purpose of determining the standard rent or rateable value of a dwelling-house to which this Act applies, it is necessary to apportion the rent at the date in relation to which the standard rent is to be fixed or the rateable value of the property in which that dwelling-house is comprised, a county court may, on application by either party, make such apportionment as seems just, and the decision of the court as to the amount to be apportioned to the dwelling-house shall be final and conclusive.

(4) Subject to the provisions of this Act, this Act shall apply to every mortgage where the mortgaged property consists of or comprises one or more dwelling-houses to which this Act applies, or any interest therein except that it shall not apply—

(*a*) to any mortgage comprising one or more dwelling-houses to which this Act applies and other land if the rateable value of such dwelling-houses is less than one-tenth of the rateable value of the whole of the land comprised in the mortgage, or

(*b*) to an equitable charge by deposit of title deeds or otherwise.

(5) Where this Act has become applicable to any dwelling-house or any mortgage thereon it shall continue to apply thereto whether or not the dwelling-house continues to be a dwelling-house to which this Act applies.

Amended by the Courts Emergency Powers Act 1917 s. 7

(6) Where the [standard] rent payable in respect of any tenancy of a dwelling-house is less than two-thirds of the rateable value thereof, this Act shall not apply to that rent or tenancy nor to any mortgage by the landlord from whom the tenancy is held of his interest in the dwelling-house.

Rules as to procedure.

3. The Lord Chancellor may make such rules and give such directions as he thinks fit for the purpose of giving effect to this Act, and may by those rules or directions provide for any proceedings for the purposes of this Act being conducted so far as desirable in private and for the remission of any fees.

Application to Scotland and Ireland.

4.—(1) This Act shall apply to Scotland, subject to the following modifications:—

"Mortgage and incumbrance" mean a heritable security; "fine" means grassum or consideration other than rent; "mortgagor" and "mortgagee" mean respectively the debtor and the creditor in a heritable security; "covenant" means obligation; "mortgaged property" means the heritable subject or subjects included in a heritable security; "rateable value" means yearly value according to the valuation roll; "rateable value on the third day of August nineteen hundred and fourteen" means yearly value according to the valuation roll for the year ending fifteenth day of May nineteen hundred and fifteen; "assessed" means entered in the valuation roll; "committed waste" means "wilfully destroyed the property"; "land" means lands and heritages; "enactments relating to compounding" include the House-letting and Rating (Scotland) Act, 1911; "rate" means assessment as defined in the last-mentioned Act; "Lord Chancellor" means the Court of Session; "rules" means act of sederunt; and "county court" means the sheriff.

1 & 2 Geo. 5. c. 53.

(2) This Act shall apply to Ireland subject to the following modifications:—

(*a*) A reference to the Lord Chancellor of Ireland shall be substituted for the reference to the Lord Chancellor;

(*b*) The expression "mortgage" includes a charge by registered disposition under the Local Registration of Title (Ireland) Act, 1891;

51 & 55 Vict. c. 66.

(*c*) The expression "rateable value" means the annual rateable value under the Irish Valuation Acts: Provided that where part of a house let as a separate dwelling is not separately valued under those Acts, the Commissioner of Valuation and Boundary Surveyor may on the application of the landlord or tenant make such apportionment of the rateable value of the whole house as seems just, and his decision as to the amount to be apportioned to the part of the house

shall be final and conclusive, and that amount shall be taken to be the rateable value of the part of the house for the purposes of this Act but not further or otherwise.

Short title and duration.

5.—(1) This Act may be cited as the Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915.

(2) This Act shall continue in force during the continuance of the present war and for a period of six months thereafter and no longer, but the expiration of this Act shall not render recoverable any rent or interest which during the continuance thereof was irrecoverable or affect the right of a tenant to recover any sum which during the continuance thereof was under this Act recoverable by him.

CHAPTER 98.

An Act to provide for the Extension of the Restrictions relating to Trading with the Enemy to Persons to whom, though not resident or carrying on Business in Enemy Territory, it is by reason of their Enemy Nationality or Enemy Associations expedient to extend such Restrictions. [23rd December 1915.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to prohibit trading with persons of enemy nationality, &c.

1.—(1) His Majesty may by Proclamation prohibit all persons or bodies of persons, incorporated or unincorporated, resident, carrying on business, or being in the United Kingdom from trading with any persons or bodies of persons not resident or carrying on business in enemy territory or in territory in the occupation of the enemy (other than persons or bodies of persons, incorporated or unincorporated, residing or carrying on business solely within His Majesty's Dominions) wherever by reason of the enemy nationality or enemy association of such persons or bodies of persons, incorporated or unincorporated, it appears to His Majesty expedient so to do, and if any person acts in contravention of any such Proclamation he shall be guilty of a misdemeanour triable and punishable in like manner as the offence of trading with the enemy.

(2) Any list of persons and bodies of persons, incorporated or unincorporated, with whom such trading is prohibited by a proclamation under this Act may be varied or added to by an Order made by the Lords of the Council on the recommendation of a Secretary of State.

5 & 6 Geo. 5. c. 71.

(3) The provisions of the Trading with the Enemy Acts, 1914 and 1915, and of the Customs (War Powers) (No. 2) Act, 1915, and all other enactments relating to trading with the enemy, shall, subject to such exceptions and adaptations as may be prescribed by Order in Council, apply in respect of such persons and bodies of persons as aforesaid as if for references therein to trading with the enemy there were substituted references to trading with such persons and bodies of persons as aforesaid, and for references to enemies there were substituted references to such persons and bodies of persons as aforesaid, and for references to offences under the Trading with the Enemy Acts, 1914 and 1915, or any of those Acts, there were substituted references to offences under this Act.

(4) For the purposes of this Act a person shall be deemed to have traded with a person or body of persons to whom a Proclamation issued under this Act applies, if he enters into any transaction or does any act with, to, on behalf of, or for the benefit of, such a person or body of persons which if entered into or done with, to, on behalf of, or for the benefit of, an enemy would be trading with the enemy.

Short title.

2. This Act may be cited as the Trading with the Enemy (Extension of Powers) Act, 1915.

CHAPTER 99.

An Act to amend the Munitions of War Act, 1915.

[27th January 1916.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to declare Government factories, &c. controlled establishments.

5 & 6 Geo. 5. c. 54.

1. The Minister of Munitions may by order declare any establishment or establishments belonging to or under the control of His Majesty or any Government Department in which munitions work is carried on to be a controlled establishment or controlled establishments as the case may be, and thereupon the provisions of the Munitions of War Act, 1915 (herein-after referred to as "the principal Act"), and this Act relating to controlled establishments shall apply to such an establishment or establishments subject to such modifications and exceptions necessary to adapt those provisions to such an establishment or establishments as may be specified in such order.

Amendment of section one of principal Act.

2. Subsection (2) of section one of the principal Act shall have effect as if after the words "in any case in which they think fit may" there were inserted the words "and in the case where "the difference is a difference between an employer and persons "employed which appears to the Board of Trade a bonâ fide

" difference and which the Board have failed to settle by such " steps as aforesaid, shall within twenty-one days from the date " of the report."

Amendment of section six of principal Act.

3.—(1) Where a workman has entered into an undertaking with the Minister of Munitions under section six of the principal Act, and was at the time of entering into that undertaking in the employment of any employer, then if that employer within the period of six weeks from the date of the undertaking dismisses that workman from his employment, he shall be guilty of an offence under the principal Act, and shall be liable to a fine not exceeding five pounds, unless he proves that there was reasonable cause for dismissing the workman.

(2) It is hereby declared that where the fulfilment by any workman of any contract is interfered with by the necessity on his part of complying with an undertaking entered into by him under section six of the principal Act, that necessity is a good defence to any action or proceedings taken against that workman in respect of the non-fulfilment of the contract so far as it is due to the interference, and he shall be entitled to enter into such an undertaking notwithstanding the existence of such a contract.

(3) Section six of the principal Act shall apply to a workman who had before the passing of the principal Act entered into an undertaking of the nature mentioned in that section in like manner as if the undertaking had been entered into in pursuance of that section.

Offences by employers in connection with munitions workers assigned to them.

4. Where a person who has been temporarily released from naval or military service for the purpose of employment on or in connection with munitions work, or a workman who has entered into an undertaking with the Minister of Munitions under section six of the principal Act, or to whom that section is applied by this Act, has been assigned to any employer, and that employer has entered into an undertaking with the Minister of Munitions as to the class or description of work on or in connection with which the person or workman so assigned to him is to be employed, then, if the employer acts in contravention of or fails to comply with any of the provisions of the undertaking, he shall be guilty of an offence under the principal Act and liable to a fine not exceeding five pounds.

Amendment of section seven of principal Act.

5.—(1) Section seven of the principal Act shall have effect as if for subsections (1) and (2) of that section the following two subsections were substituted :—

" (1) A person shall not give employment to a workman who has within the last previous six weeks, or such other period as may be provided by order of the Minister of Munitions as respects any class of establishment, been employed on or in connection with munitions work in any establishment of a

class to which the provisions of this section are applied by order of the Minister of Munitions, unless he holds a certificate from the employer by whom he was last so employed or from a munitions tribunal that he is free to accept other employment.

"(2) If any workman or his trade union representative complains to a munitions tribunal, in accordance with rules made with respect to those tribunals, that an employer has unreasonably refused or neglected to issue such a certificate as aforesaid, that tribunal may, after examining into the case, if it thinks fit, itself issue such a certificate or order the issue of such a certificate by the employer."

(2) Where a workman employed on or in connection with munitions work in any establishment of a class to which the provisions of section seven of the principal Act are for the time being applied by an order made thereunder is dismissed or discharged by his employer, the employer shall forthwith give him such a certificate as aforesaid, and if he fails to do so, a munitions tribunal may, in addition to issuing or ordering the issue to him of such a certificate, order the payment to him by the employer of such sum, not exceeding five pounds, as the tribunal may think fit, unless the tribunal is of opinion that the workman was guilty of misconduct for the purpose of obtaining dismissal or discharge.

This subsection shall apply to a workman who applies for a certificate on the ground that he has for a period of more than two days been given no opportunity of earning wages, or who leaves his employment on account of conduct on the part of the employer, or any agent of the employer, which would justify the immediate termination by the workman of his contract of service, in like manner as if he had been dismissed or discharged by his employer.

(3) Where a contract of service with a workman employed on or in connection with munitions work in any establishment of a class to which the provisions of section seven of the principal Act are for the time being applied by an order made thereunder is terminated by dismissal, and less than one week's notice, or wages in lieu of notice, has or have been given, the employer shall, subject to the provisions of this subsection, within twenty-four hours of giving notice of dismissal to the workman report the matter in such manner as may be prescribed by rules made by the Minister of Munitions, and such rules shall provide for the determination by a munitions tribunal (in case of difference) of the amount, if any, and not in any case exceeding five pounds, which is to be paid by the employer to the workman in lieu of notice, and for the payment of the sum so determined to the workman, unless the tribunal is of opinion that owing to the discontinuance or temporary nature of the employment or misconduct of the workman the employer had

reasonable cause for dismissing the workman without a week's notice :

Provided that nothing in this subsection shall apply to workmen engaged in ship repairing, or to any class of workmen exempted in the prescribed manner on the ground that the circumstances of their employment were such that the provisions of this subsection ought not to apply to them.

(4) The provisions of section seven of the principal Act which prohibit the giving of employment to workmen in the circumstances mentioned in that section shall not apply so as to prevent the giving of employment to a workman in a controlled establishment to which he has been assigned by the Minister of Munitions in pursuance of section six of the principal Act.

(5) In determining whether the grant of a certificate has been unreasonably refused for the purposes of section seven of the principal Act as amended by this section, a munitions tribunal shall take into consideration the question whether the workman has left or desires to leave his work for the purpose of undertaking any class of work in which his skill or other personal qualifications could be employed with greater advantage to the national interests, and whether the employer has failed to observe the conditions laid down in the fair wages clauses required by resolution of the House of Commons to be inserted in Government contracts, and whether the workman has left or desires to leave his work because he has recently completed a term of apprenticeship or period of learning his trade or occupation and desires to obtain the full standard rate of wages applicable to fully qualified workmen in his trade or occupation.

(6) The Minister of Munitions may make rules for carrying section seven of the principal Act as amended by this section into effect, and in particular may by such rules provide—

(*a*) for the issue, form, custody, duration, delivery up, and replacement in case of loss or destruction, of certificates ;

(*b*) for the issue of certificates to persons not engaged on or in connection with munitions work ;

(*c*) for prohibiting the insertion in a certificate issued by an employer of any matter other than the prescribed particulars ;

and may provide for any breach of such rules being punishable as an offence under the principal Act with a fine not exceeding five pounds.

(7) This section shall not come into operation until such date as may be fixed by the rules made thereunder.

Rates of wages of women employed on munitions work.

6.—(1) Where female workers are employed on or in connection with munitions work in any establishment of a class to which the provisions of section seven of the principal Act

as amended by this Act are for the time being applied by an order made thereunder, the Minister of Munitions shall have power by order to give directions as to the rate of wages, or (subject, so far as the matter is one which is dealt with by the Factory and Workshops Acts, 1901 to 1911, to the concurrence of the Secretary of State) as to hours of labour, or conditions of employment of the female workers so employed.

(2) Any directions given by the Minister of Munitions under this section shall be binding on the owner of the establishment and any contractor or sub-contractor employing labour therein and the female workers to whom the directions relate, and any contravention thereof or non-compliance therewith shall be punishable, in like manner as if the order in which the direction is contained was an award made in settlement of a difference under Part I. of the principal Act.

(3) No direction given under this section shall be deemed to relieve the occupier of any factory or workshop from the obligation to comply with the provisions of the Factory and Workshops Acts, 1901 to 1911, or of any orders or regulations made thereunder, or to affect the liability of any person to be proceeded against for an offence under the Employment of Children Act, 1903, so however that no person be twice punished for the same offence.

3 Edw. 7. c. 45.

Rates of wages of semi-skilled and unskilled labour in controlled establishments.

7. The Minister of Munitions shall have power by order to give directions as to the rate of wages, hours of labour, or conditions of employment of semi-skilled and unskilled men employed in any controlled establishment on munitions work being work of a class which, prior to the war, was customarily undertaken by skilled labour, or as to the time rates for the manufacture of complete shell and fuses and cartridge cases in any controlled establishment in which such manufacture was not customary prior to the war; and any direction so given shall be binding on the owner of the establishment, and any contractor or sub-contractor employing labour therein, and the workers to whom the directions relate, and any contravention thereof or non-compliance therewith shall be punishable, in like manner as if the order in which the direction is contained was an award made in settlement of a difference under Part I. of the principal Act.

Establishment of special arbitration tribunals.

8.—(1) The Minister of Munitions may constitute special arbitration tribunals to deal with differences reported under Part I. of the principal Act which relate to matters on which the Minister of Munitions has given or is empowered to give directions under the last two preceding sections, and the Board of Trade may refer any such difference for settlement to such tribunal in lieu of referring it for settlement in accordance with the First Schedule to the principal Act.

(2) The Minister of Munitions may also refer to a special arbitration tribunal so constituted, for advice, any question as

to what directions are to be given by him under the said sections.

(3) The tribunal to which matters and questions relating to female workers are to be referred under this section shall include one or more women.

Extension of definition of munitions work.

9.—(1) The expression "munitions work" for the purposes of the principal Act and this Act means—

(*a*) the manufacture or repair of arms, ammunition, ships, vessels, vehicles, and aircraft, and any other articles or parts of articles (whether of a similar nature to the aforesaid or not) intended or adapted for use in war, and of any other ships or vessels, or classes of ships or vessels, or parts of ships or vessels, which may be certified by the Board of Trade to be necessary for the successful prosecution of the war, and of any metals, machines, or tools required for any such manufacture or repair, and of the materials, of any class specified in an order made for the purpose by the Minister of Munitions, required for, or for use in, any such manufacture or repair as aforesaid; and

(*b*) the construction, alteration or repair of works of construction and buildings for naval or military purposes, and of buildings in which munitions work is or is intended to be carried on, and the erection of machinery and plant therein, and the erection of houses for the accommodation of persons engaged or about to be engaged on munitions work; and

(*c*) The construction, alteration, repair, or maintenance of docks and harbours and work in estuaries in cases where such construction, alteration, repair, maintenance or work is certified by the Admiralty to be necessary for the successful prosecution of the war; and

(*d*) the supply of light, heat, water, or power or the supply of tramways facilities in cases where the Minister of Munitions certifies that such supply is of importance for the purpose of carrying on munitions work, and the erection of buildings, machinery, and plant required for such supply; and

(*e*) the repair of fire engines and any other fire brigade appliances in cases where the Minister of Munitions certifies that such repair is necessary in the national interest.

(2) In section three of the principal Act there shall be added after the words "affecting employment on," in both places where those words occur, the words "or in connection with," and in the same section the words "the manufacture or repair of arms, "ammunition, ships, vehicles, aircraft, or any other articles "required for use in war, or of the metals, machines, or tools

" required for that manufacture or repair in this Act referred to " as " shall be repealed.

(3) This section shall not come into operation until the time fixed by rules made under section five of this Act as the date for the commencement of that section.

Amendment of section nine of principal Act.

10. At the end of section nine of the principal Act the following proviso shall be inserted :—

" Provided that the power of making an order applying section seven of this Act to any dock shall rest with the Minister of Munitions and not with the Admiralty."

Amendment of section four of principal Act.

11. Subsection (2) of section four of the principal Act shall be read as if the words " or to any agreement existing before the " establishment became a controlled establishment, between the " owner of the establishment and an employee with regard to " any periodical increase of remuneration " were inserted after the words " nineteen hundred and fifteen."

Explanation of term " workman."

12. For removing doubts it is hereby declared that the expressions " workman " and " workmen," wherever they occur in the principal Act and this Act, include not only persons whose usual occupation consists in manual labour, but also foremen, clerks, typists, draughtsmen, and other persons whose usual occupation consists wholly or mainly in work other than manual labour.

Amendment of section fifteen of principal Act.

13. Subsection (4) of section fifteen of the principal Act shall be read as if the words " of the second class " were struck out.

Punishment for false statements, &c.

14. For section twelve of the principal Act the following section shall be substituted :—

" **12.** If any person makes any false statement or representation, or gives any false certificate, or furnishes any false information—

(*a*) for the purpose of evading any provision of this Act ; or

(*b*) in any proceedings before any munition tribunal, arbitration tribunal, referee, or board of referees under this Act or the rules made thereunder ; or

(*c*) to the Minister of Munitions or any officer employed by him, for the purpose of obtaining or retaining employment, or of obtaining or retaining the services of any workman ;

or if any person alters or tampers with a certificate given under section seven of this Act, or personates or falsely represents himself to be a person to whom such a certificate has been given, or allows any other person to have possession of any such certificate issued for his use alone, he

shall be guilty of an offence and liable on conviction under the Summary Jurisdiction Acts to imprisonment with or without hard labour for a term not exceeding three months or to a fine not exceeding fifty pounds."

Restriction on change from union to non-union labour.

15. Where non-union labour is introduced during the war into any class of work in a controlled establishment in which it was the practice prior to the war to employ union labour exclusively the owner of the establishment shall be deemed to have undertaken that such introduction shall only be for the period of the war, and if he breaks or attempts to break such an undertaking he shall be guilty of an offence under the principal Act and liable to a fine not exceeding fifty pounds; but subject as aforesaid such introduction shall not be deemed to be a change of working conditions.

Extension of section eleven of principal Act.

16.—(1) In subsection (1) of section eleven of the principal Act, which specifies the matters in respect of which owners of establishments in which persons are employed are, if required by the Minister of Munitions, to give information, the following paragraph shall be inserted after paragraph (*c*):—

(*cc*) the cost of production of the articles produced or dealt with in the establishment, and the cost of the materials used for such production, and the names and addresses of the persons by whom such materials were supplied or who are under contract to supply them.

(2) If any person, except as authorised by the Minister of Munitions, discloses or makes use of any information given under section eleven of the principal Act, as amended by this or any subsequent enactment, he shall be guilty of a misdemeanour and on conviction be liable to imprisonment, with or without hard labour, for a term not exceeding two years, or to a fine, or to both imprisonment and a fine.

Powers of inspectors.

17.—(1) An inspector appointed by the Minister of Munitions for the purposes of the principal Act shall have power to enter at all reasonable times the premises of any establishment (other than a private dwelling-house not being a workshop) for the purpose of ascertaining whether it is desirable to put in force as respects any establishment or any person employed therein any of the powers of the Minister of Munitions, whether under the principal Act or otherwise, or for the purpose of obtaining any information in connection with the supply of munitions, and to make such examination and inquiry as may be necessary for any such purpose, and the owner of the establishment and every person engaged in the management or direction of the establishment shall furnish to any such inspector all such information, and shall produce for inspection all such registers, wages books, and other similar documents, as the inspector may reasonably require.

(2) If any person wilfully delays or obstructs an inspector in the exercise of any power under this section or fails to give such information or to produce such documents as aforesaid, he shall be guilty of an offence under the principal Act, and shall be liable to a fine not exceeding ten pounds.

(3) Every inspector shall be furnished with a certificate as to his appointment, and on applying for admission to any premises for the purposes of this section shall, if so required, produce such certificate.

Provisions as to offences.

18.—(1) All offences which are by or under this Act made offences under the principal Act, other than those for which the maximum fine exceeds five pounds, shall be deemed to be offences with which munitions tribunals of the second class have jurisdiction to deal.

(2) Rules under section fifteen of the principal Act shall provide—

(*a*) that in proceedings before a munitions tribunal the chairman shall, before giving his decision, consult with the assessors, and in all cases where the assessors are agreed he shall, except as respects questions which appear to the chairman to be questions of law, give effect to their opinion in his decision;

(*b*) that where the person or persons by or on behalf of whom or against whom the complaint is made in any proceedings before a munitions tribunal is or are a female worker, or two or more female workers, the assessor or one of the assessors chosen from the panel of persons representing workmen shall be a woman.

(3) Decisions of munitions tribunals shall be subject to appeal to such judge of the High Court as may be appointed by the Lord Chancellor for the purpose on any ground which involves a question of law or a question of mixed law and fact, or on any other ground that may be prescribed in rules made by the Lord Chancellor, in such cases and subject to such conditions and in such manner, as may be specified in such rules, and whether by means of the statement of a special case for the opinion of the judge or otherwise; and those rules may provide for such appeals in any classes of cases specified therein being heard and determined in a summary manner and for the fixing, remission, or reduction of any fees and scales of costs, and as to the manner in which effect is to be given to the decision of the judge, and the decision of the judge on any such appeal shall be final and binding on all munitions tribunals.

In the application of this provision to Scotland "High Court" shall mean Court of Session, "Lord Chancellor" shall mean Lord President of the Court of Session, "rules made by the Lord Chancellor" shall mean Act of Sederunt.

In the application of this provision to Ireland "Lord Chancellor" shall mean the Lord Chancellor of Ireland.

(4) In the case of a company being guilty of an offence under the principal Act, every director, manager, secretary, or other officer of the company, who is knowingly a party to the contravention or non-compliance constituting the offence shall also be guilty of the offence and liable to the like fine as the company.

(5) In subsection (3) of section 15 of the principal Act after the words "so far as relates to offences" there shall be inserted "and the enforcement of orders."

Minor amendments of principal Act.

19. In subsection (3) of section five of the principal Act, after the words "affords no standard of comparison" there shall be inserted the words "or that no such average exists," and after the words "if he thinks just, allow," there shall be inserted the words "or require"; and in paragraph nine of the Second Schedule to the principal Act, for the word "fourth," there shall be substituted the word "third."

Arrangements with other departments.

20. The Minister of Munitions may make arrangements with any other Government department for the exercise and performance by that department of any of his powers and duties under the principal Act or this Act which appear to him to be such as could be more conveniently so exercised and performed, and in such case the department and the officers of the department shall have the same powers and duties for the purpose as are by the principal Act and this Act conferred on the Minister of Munitions and his officers.

Admissibility in evidence of certificates by Board of Trade.

21. For the purposes of proceedings under section two of the principal Act, a certificate of the Board of Trade purporting to be signed by the President or a secretary or assistant secretary of the Board of Trade, or by a person authorised for the purpose by the President that a difference to which Part I. of the principal Act applies has or has not been reported to the Board, and, in cases where such a difference has been reported, as to the date on which it was reported, shall be admissible as evidence of the facts therein stated.

Costs in vexatious proceedings.

22.—(1) Where a munitions tribunal dismisses any case under the principal Act or this Act, and it appears to the tribunal that the proceedings were vexatious or frivolous, the tribunal shall, unless it sees good cause to the contrary, award costs to the person against whom the complaint is made, and the costs so awarded shall, unless good cause to the contrary appears, include such sum as compensation for the expenses, trouble, and loss of time incurred in or incidental to the attendance of the person against whom the complaint is made before the tribunal as to the tribunal may seem just and reasonable.

(2) Where a referee or board of referees to whom a matter has, under subsection (3) of section five of the principal Act,

been referred by the Minister of Munitions on the requirement of the owner of an establishment, considers that the requirement was unreasonable, the referee or board of referees may order that any costs payable by the owner of the establishment shall be paid out of the amount of profits divisible under the principal Act.

Exclusion of Arbitration Act, 1889. 52 & 53 Vict. c. 49.

23. The Arbitration Act, 1889, shall not apply to any reference to any referee or board of referees under the principal Act or this Act or the rules made thereunder.

Effect of revocation of orders.

24. Where the Minister of Munitions makes an order revoking any order previously made by him under section four of the principal Act, the order so revoked shall, if that order has not been in operation for more than three months and was made under a misapprehension and the revoking order so directs, be treated for all or any of the purposes thereof as if it had never had effect.

Provision as to rules.

56 & 57 Vict. c. 66.

25. Rules and regulations made under the principal Act as amended by this Act shall not be deemed to be statutory rules within the meaning of section one of the Rules Publication Act, 1893.

Duration of principal Act.

26. In subsection (2) of section twenty of the principal Act, which relates to the duration thereof, the words "Part I. of" shall be repealed.

Short title.

27. This Act may be cited as the Munitions of War (Amendment) Act, 1916, and shall be construed as one with the principal Act, and the principal Act and this Act may be cited together as the Munitions of War Acts, 1915 and 1916.

CHAPTER 100.

An Act to amend the Parliament Act, 1911, in connection with the present Parliament, and to suspend further the machinery for the registration of Electors.

[27th January 1916.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of Parliament Act in connection with the present Parliament.

1 & 2 Geo. 5. c. 13.

1.—(1) Section seven of the Parliament Act, 1911, shall, in its application to the present Parliament, have effect as if five years and eight months were substituted for five years.

(2) Section two of the Parliament Act, 1911, shall, in relation to any public Bill passed by the House of Commons after the passing of this Act and during the continuance of the present Parliament, have effect as if the session ended in September

nineteen hundred and fourteen and the session in which the Bill is so passed were successive sessions.

Suspension of registration machinery.

2.—(1) The parliamentary and local government register of electors, and any register based on the same, in force at the passing of this Act, shall remain in force until Parliament provides for the substitution of any special registers or otherwise directs; and the words "but in no case after the thirty-" first day of December, nineteen hundred and sixteen," in section three of the Elections and Registration Act, 1915, are hereby repealed. 5 & 6 Geo. 5. c. 76.

(2) Until Parliament provides for the preparation of special registers or otherwise directs, no steps shall be taken in connection with the preparation of a new parliamentary or local government register of electors or any new register based on the same, subject to any directions of the Local Government Board to the contrary as respects information of deaths or any other statistical information, and, subject to any such directions, the provisions of the Acts relating to registration of electors, so far as respects the preparation of new registers, shall not be carried into effect:

Provided always that, where an assessor in Scotland is appointed under the Lands Valuation (Scotland) Act, 1854, and subsequent enactments, and where, as part of his duties, the registers of electors are made up by him, nothing in this Act shall be construed as affecting the power of the appointing local authority to pay him any annual salary or emoluments under the terms of his appointment as assessor to which he would be entitled if this Act had not been passed, but such payments shall be taken into account in dealing with any claim for payment in connection with the preparation of any special registers required by Parliament in place of the ordinary registers. 17 & 18 Vict. c. 91.

(3) In the application of this section to Scotland, "the Secretary for Scotland" shall be substituted for "the Local Government Board," and "the County Council and Municipal Registers" shall be substituted for "the Local Government Register of Electors."

In the application of this section to Ireland, "the Local Government Board for Ireland" shall be substituted for "the Local Government Board."

Compensation to local officers in Ireland

3. Where, by the operation of this Act, the Secretary of any county council, or any other local officer in Ireland, who has hitherto discharged the duties of preparing the parliamentary and local government register will, in the opinion of the Local Government Board for Ireland, suffer undue loss of income, that Board may, if they think fit, direct the payment, from the funds of the local authority concerned, of such sum by way of compensation for temporary loss of emoluments as they may deem fair and equitable, having regard to all the circumstances of

each case. The decision of the Local Government Board in any such case shall be binding on the local authority concerned, and shall be final and conclusive for all purposes.

Short title.

4. This Act may be cited as the Parliament and Registration Act, 1916.

CHAPTER 101.

An Act to provide for placing certain Officers and Men of His Majesty's naval forces under Military Law whilst serving on Shore. [27th January 1916.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of Army Act to naval forces serving on shore in certain cases.

1. The Admiralty may, by order, direct that all or any of the officers and men borne on the books of any of His Majesty's ships shall, whilst serving on shore, be subject to military law under the Army Act, and, while such an order is in force, the officers and men to whom the order relates shall, for disciplinary purposes, be subject to military law under the Army Act in like manner as officers and men of the Royal Marines when so subject.

Short title and duration.

2.—(1) This Act may be cited as the Naval Forces (Service on Shore) Act, 1916.

(2) This Act shall have effect only during the continuance of the present war and a period of six months thereafter.

CHAPTER 102.

An Act to amend the Customs (War Powers) Acts, 1915. [27th January 1916.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Notice of seizure of goods seized under 5 Geo. 5. c. 31. s. 6. 5 & 6 Geo. 5. c. 71.

1. Where in pursuance of the powers conferred by section six of the Customs (War Powers) Act, 1915, as extended by section two of the Customs (War Powers) (No. 2) Act, 1915, any goods have been seized on the ground that the Commissioners of Customs and Excise have reason to suspect that the country of origin of the goods is an enemy country, or that the goods are being imported in contravention of the law relating to trading with the enemy, the notice of the seizure

required by section two hundred and seven of the Customs Consolidation Act, 1876, to be given to the owner of the goods may, if the owner has no address in the United Kingdom, be given by the publication of a notice of the seizure in the London, Edinburgh, or Dublin Gazette, as the case may require. 39 & 40 Vict. c. 36.

Provisions as to declarations as to ultimate destination of exported goods.

2.—(1) Subsection (1) of section five of the Customs (War Powers) Act, 1915, as amended by section one of the Customs (War Powers) (No. 2) Act, 1915, shall apply to cases where a declaration as to the person or country to whom any goods are ultimately destined is made in a shipping document lodged after shipment, in like manner as it applies to a declaration made in the course of making entry before shipment.

(2) In the case of proceedings taken under the said subsection, an averment in the information that the defendant has failed to produce evidence to the satisfaction of the Commissioners that the goods in question have not reached a person who is an enemy, or treated as an enemy, or a country which is enemy, or treated as enemy, under any law for the time being in force relating to trading with the enemy shall be sufficient unless the defendant proves to the contrary.

Action in anticipation of restriction of exports. 42 & 43 Vict. c. 21. 63 & 64 Vict. c. 44.

3.—(1) Pending the issue of a Proclamation or the making of an Order in or of Council under section eight of the Customs and Inland Revenue Act, 1879, or under the Exportation of Arms Act, 1900 (as amended in each case by any subsequent enactment), prohibiting or restricting the exportation of any article, the Commissioners of Customs and Excise shall, if the Board of Trade so direct, have power to take any action for preventing the exportation of that article as if the Proclamation or Order were in force at the time.

(2) Where, before the passing of this Act, any Proclamation or Order under either of the said Acts as so amended has been issued or made and in anticipation thereof the Commissioners of Customs and Excise have taken any action for preventing the exportation of any articles subsequently comprised in the Proclamation or Order, such action of the Commissioners shall be deemed to have been as valid in all respects as if the Proclamation or Order had been in force at the time when such action was taken.

Penalty for attempting to ship goods in contravention of order under 39 & 40 Vict. c. 36. s. 139.

4. The following subsection shall be added to section five of the Customs (War Powers) Act, 1915:—

"If any person who is required by any order of the Commissioners of Customs and Excise under section one hundred and thirty-nine of the Customs Consolidation Act, 1876, to make entry and obtain clearance before shipment attempts to ship any goods in contravention of the order, he shall be liable in respect of each offence to a penalty of one hundred pounds, without prejudice to the

operation of any other provisions of that section or any other provisions of that Act."

Application of s. 6 of the Customs (War Powers) Act, 1915.

5. Section six of the Customs (War Powers) Act, 1915, shall apply to all goods which at the commencement of this Act are under detention as being of suspected enemy origin, notwithstanding that they were originally detained or imported into the United Kingdom before the commencement of the first-mentioned Act.

Short title and construction.

6. This Act may be cited as the Customs (War Powers) Act, 1916, and shall be construed as one with the Customs (War Powers) Act, 1915; and the Customs (War Powers) (No. 2) Act, 1915, and those Acts and this Act may be cited together as the Customs (War Powers) Acts, 1915 and 1916.

CHAPTER 103.

An Act to amend the Army (Suspension of Sentences) Act, 1915. [27th January 1916.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of 5 Geo. 5. c. 23. s. 1.

1.—(1) The Army Council, and any general officer whom the Army Council may appoint for the purpose, shall be a superior military authority within the meaning of the Army (Suspension of Sentences) Act, 1915.

(2) Subsection (5) of section one of that Act shall have effect, and shall be deemed always to have had effect, as if for the words "intervals of not less than three months" there were substituted the words "intervals of not more than three months," and subsection (8) as if for the words "superior authority" there were substituted the words "superior military authority."

Short title.

2. This Act may be cited as the Army (Suspension of Sentences) Amendment Act, 1916, and the Army (Suspension of Sentences) Act, 1915, and this Act may be cited together as the Army (Suspension of Sentences) Acts, 1915 and 1916.

CHAPTER 104.

An Act to make provision with respect to Military Service in connexion with the present War.

[27th January 1916.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Obligation of unmarried men to serve.

1.—(1) Every male British subject who—

(*a*) on the fifteenth day of August nineteen hundred and fifteen, was ordinarily resident in Great Britain, and had attained the age of eighteen years and had not attained the age of forty-one years; and

(*b*) on the second day of November nineteen hundred and fifteen was unmarried or was a widower without any child dependent on him;

shall, unless he either is within the exceptions set out in the First Schedule to this Act, or has attained the age of forty-one years before the appointed date, be deemed as from the appointed date to have been duly enlisted in His Majesty's regular forces for general service with the colours or in the reserve for the period of the war, and to have been forthwith transferred to the reserve.

(2) The Army Act (with the exception of section ninety-six thereof, which relates to the claim of masters to apprentices) and the Reserve Forces Acts, 1882 to 1907, and any orders and regulations made thereunder, shall apply accordingly to any man who is so deemed to have been enlisted and transferred to the reserve; and if any question arises in any legal proceeding under any of those Acts, orders, or regulations whether any man is a man who is under this section deemed to have been enlisted and transferred to the reserve or not, the court may require the man to give evidence on the question, and if satisfactory evidence is not given to the contrary the man shall be deemed to have been so enlisted and transferred;

Provided that—

(*a*) where the question, whether a man is a man who, under this section is deemed to have been enlisted and transferred to the reserve or not, is raised on proceedings in respect of an offence alleged to have been committed by the man as a member of the reserve whilst he was a member of the reserve in pursuance of the transfer under this Act, or in respect of any alleged failure to comply with any order calling him up from the reserve for permanent service, that question shall be decided only on proceedings before a civil court; and

(*b*) no such proceedings shall be instituted except during the continuance of the present war and a period of six months thereafter; and

(*c*) a man who is deemed to have been enlisted and transferred to the reserve under this section shall not be liable to suffer death in respect of failure to obey an order calling him up from the reserve for permanent service.

45 & 46 Vict. c. 48.

(3) Provision shall be made under section twenty of the Reserve Forces Act, 1882, for information being obtained from men who are transferred to the reserve under this section as to preference for naval service, and the Admiralty shall have the first call on such men in case their services are needed for that purpose.

(4) This section shall apply to any male British subject who, since the fifteenth day of August nineteen hundred and fifteen, has become or hereafter becomes ordinarily resident in Great Britain in the same manner as it applies to a male British subject who was ordinarily resident in Great Britain on the fifteenth day of August nineteen hundred and fifteen, with the substitution in the case of a man becoming so resident after the appointed date of the thirtieth day after he has become so resident for the appointed date.

Certificates of exemption.

2.—(1) An application may be made at any time before the appointed date to the Local Tribunal established under this Act by or in respect of any man for the issue to him of a certificate of exemption from the provisions of this Act—

(*a*) on the ground that it is expedient in the national interests that he should, instead of being employed in military service, be engaged in other work in which he is habitually engaged or in which he wishes to be engaged or, if he is being educated or trained for any work, that he should continue to be so educated or trained; or

(*b*) on the ground that serious hardship would ensue, if the man were called up for Army Service, owing to his exceptional financial or business obligations or domestic position; or

(*c*) on the ground of ill-health or infirmity; or

(*d*) on the ground of a conscientious objection to the undertaking of combatant service;

and the Local Tribunal, if they consider the grounds of the application established, shall grant such a certificate.

The Local Tribunal may allow an application to be made after the appointed date in any case in which it is shown to their satisfaction that the failure to make the application within the required time has arisen owing to the absence of the applicant abroad, or owing to any other cause which appears to the tribunal to afford a reasonable ground for allowing the application to be so made.

(2) Certificates of exemption from the provisions of this Act may also be granted by any Government Department, after consultation with the Army Council, to men, or classes or bodies of men, in the service or employment of that Department, or, in cases where it appears to the department that certificates can be more conveniently granted by the department than by the Local Tribunal, to men or classes or bodies of men who are employed or engaged or qualified for employment or engagement in any work which is certified by the Department to be work of national importance and whose exemption comes within the sphere of the Department.

If any question arises whether any person or body of persons is to be treated as a Government Department, or as a separate Government Department, for the purpose of this provision, or whether any exemption comes within the sphere of one Department or another, the question shall be referred to the Treasury, and the decision of the Treasury thereon shall be final for the purposes of this section.

Where a certificate is granted by a Government Department to a class or body of men, regulations made under this Act with respect to the constitution, functions and procedure of Local Tribunals may provide for the grant of individual certificates to men belonging to that body or class by Local Tribunals in such cases and subject to such provisions as may be prescribed by the regulations.

(3) Any certificate of exemption may be absolute, conditional, or temporary, as the authority by whom it was granted think best suited to the case, and also in the case of an application on conscientious grounds, may take the form of an exemption from combatant service only, or may be conditional on the applicant being engaged in some work which in the opinion of the Tribunal dealing with the case is of national importance :

Provided that a certificate granted on the ground of the continuance of education or training, or on the ground of exceptional financial or business obligations or domestic position, shall be a conditional or temporary certificate only.

No certificate of exemption shall be conditional upon a person to whom it is granted continuing in or entering into employment under any specified employer or in any specified place or establishment.

(4) Where a conditional certificate is granted the conditions upon which it is granted shall be stated on the certificate.

(5) Any Government Department may direct that any certificates granted by or on behalf of that Department before the appointed date as to employment on work for war purposes may be treated as certificates of exemption for the purposes of this Act.

(6) Where a certificate of exemption is destroyed, missing, or defaced, the authority by whom it was granted shall, upon the application of the man to whom it was granted and upon payment of a fee of a shilling, issue a duplicate of the certificate to him.

(7) The Local Tribunal, Appeal Tribunal, and Central Tribunal shall be constituted in accordance with the provisions of the Second Schedule to this Act, and any decision of the Local Tribunal or Appeal Tribunal shall be subject to appeal as provided in that Schedule.

Supplemental provisions as to certificates of exemption.

3.—(1) A certificate of exemption may be reviewed or renewed at any time by the Local Tribunal or the Government Department, as may be directed by regulations made under this Act with respect to the constitution, functions and procedure of Local Tribunals, on the application either of the holder of the certificate or of any person generally or specially authorised for the purpose by the Army Council, and may be withdrawn or varied if the authority by whom the certificate is reviewed are of opinion that, in the circumstances of the case, the certificate should be withdrawn or varied.

(2) It shall be the duty of any man holding a conditional certificate, if the conditions on which the certificate was granted are no longer satisfied, to give notice to the authority mentioned in the certificate that the conditions are no longer satisfied; and if he fails without reasonable cause or excuse to do so, he shall be liable on summary conviction to a fine not exceeding fifty pounds.

(3) Where a certificate of exemption ceases to be in force owing to the withdrawal of the certificate or the failure to comply with the conditions on which the certificate was granted or the expiration of the time for which the certificate was granted, the man to whom the certificate was granted shall, as from the expiration of two months after the date on which the certificate so ceases to be in force, be deemed to have been enlisted and transferred to the reserve in the same manner as if no such certificate had been granted unless in the meantime the man has obtained a renewal of his certificate.

(4) If for the purpose of obtaining exemption for himself or any other person, or for the purpose of obtaining the renewal, variation, or withdrawal of a certificate of exemption, any person makes any false statement or false representation, he shall be liable on summary conviction to imprisonment for a term not exceeding six months with or without hard labour.

(5) Where an application has been made by or in respect of any man for a certificate of exemption or for a renewal of such a certificate, he shall not be called up for service with the colours until the application has been finally disposed of.

Short title and commencement.

4. This Act may be cited as the Military Service Act, 1916, and shall come into operation on such day as His Majesty may fix by proclamation, not being more than fourteen days after the passing thereof.

The appointed date for the purposes of this Act shall be the twenty-first day after the day on which this Act comes into operation.

SCHEDULES.

FIRST SCHEDULE.

Exceptions.

Section 1 (1).

1. Men ordinarily resident in His Majesty's Dominions abroad, or resident in Great Britain for the purpose only of their education or for some other special purpose.

2. Members of His Majesty's regular or reserve forces, or of the forces raised by the Governments of His Majesty's Dominions, and members of the Territorial Force who are liable for foreign service or who are, in the opinion of the Army Council, not suited for foreign service.

3. Men serving in the Navy, or the Royal Marines, or who, though not serving in the Navy or Royal Marines, are recommended for exception by the Admiralty.

4. Men in holy orders or regular ministers of any religious denomination.

5. Men who have left or been discharged from the naval or military service of the Crown in consequence of disablement or ill-health (including officers who have ceased to hold a commission in consequence of disablement or ill-health), and, subject to any provision which may hereafter be made by Parliament, men who have been discharged from the naval or military service of the Crown on the termination of their period of service.

6. Men who hold a certificate of exemption under this Act for the time being in force (other than a certificate of exemption from combatant service only), or who have offered themselves for enlistment and been rejected since the fourteenth day of August nineteen hundred and fifteen.

SECOND SCHEDULE.

Constitution of Tribunals.

Section 2 (7).

1. There shall be a Local Tribunal for each local registration district under the National Registration Act, 1915, in Great Britain, or for any division of any such district which may be adopted for the purpose by the registration authority of the district, consisting of such persons, not less than five and not exceeding twenty-five in number, as may be appointed for the purpose by that authority.

2. There shall be Appeal Tribunals, acting within such areas as His Majesty may appoint, consisting of such persons as may be appointed for the purpose by His Majesty.

3. Tribunals may act through committees appointed by them, consisting of members of the tribunal.

4. There shall be a Central Tribunal for Great Britain consisting of such persons as may be appointed for the purpose by His Majesty.

5. His Majesty may by Order in Council make regulations with respect to the constitution, functions and procedure of the Local Tribunals, the Appeal Tribunals and the Central Tribunal; and, so far as provision is not made for procedure by those regulations, the procedure of the tribunal shall be such as may be determined by the tribunal.

Regulations made under this provision shall contain instructions to the Local and Appeal Tribunals given with a view to securing uniformity of decision and practice amongst the several tribunals.

Any Order in Council under this provision may be revoked or varied by any subsequent Order in Council and any regulations made under any such Order shall, as soon as may be, be presented to Parliament.

6. If any difficulty arises with respect to the constitution of Local Tribunals, or otherwise in relation to the operation of this Act with respect to Local Tribunals, the Local Government Board, or, as respects Scotland, the Secretary for Scotland, may make any appointment and do anything which appears to them necessary or expedient for the establishment of those tribunals or for securing the full operation of this Act with respect to those tribunals.

APPEAL.

1. Any person aggrieved by the decision of a Local Tribunal, and any person generally or specially authorised to appeal from the decision of that tribunal by the Army Council, may appeal against the decision of a Local Tribunal to the Appeal Tribunal of the area.

2. Any person aggrieved by the decision of an Appeal Tribunal, and any person generally or specially authorised to appeal from the decision of that tribunal by the Army Council, may, by leave of the Appeal Tribunal, appeal to the Central Tribunal.

CHAPTER 105.

An Act to amend the Trading with the Enemy Acts.

[27th January 1916.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to deal with businesses of persons, &c. of enemy nationality or associations.

1.—(1) Where it appears to the Board of Trade that the business carried on in the United Kingdom by any person, firm, or company is, by reason of the enemy nationality or enemy association of that person, firm, or company, or of the members of that firm or company or any of them, or otherwise, carried on wholly or mainly for the benefit of or under the control of enemy subjects, the Board of Trade shall, unless for any special

reason it appears to them inexpedient to do so, make an order either—

(*a*) prohibiting the person, firm, or company from carrying on the business, except for the purposes and subject to the conditions, if any, specified in the order; or

(*b*) requiring the business to be wound up.

The Board of Trade may at any time revoke or vary any such order, and may, in any case where they have made an order prohibiting or limiting the carrying on of the business, at any time, if they think it expedient, substitute for that order an order requiring the business to be wound up.

(2) Where the Board of Trade make any such order they may at the same time or at any time subsequently appoint a controller to control and supervise the carrying out of the order and, if the case requires, to conduct the winding up of the business, and in any case where it appears expedient to the Board of Trade, the Board may, as occasion requires, confer on the controller such powers as are exercisable by a liquidator in a voluntary winding-up of a company (including power in the name of the person, firm, or company, or in his own name, and by deed or otherwise, to convey or transfer any property, and power to apply to the High Court or a judge thereof to determine any question arising in the carrying out of the order), or those powers subject to such modifications restrictions or extensions as the Board think necessary or convenient for the purpose of giving full effect to the order, and the remuneration of and costs, charges, and expenses incurred by the controller, and any remuneration payable and costs, charges, and expenses incurred in connection with the supervision or inspection of the business, whether before or after the passing of this Act, to such amount as may be approved by the Board, shall be defrayed out of the assets of the business, and shall be charged on such assets in priority to any other charges thereon.

In England and Wales an official receiver may, if the Board of Trade think fit, be appointed controller.

(3) The distribution of any sums or other property resulting from the realisation of any assets of the business, whether those assets are realised as the result of an order requiring the business to be wound up or as the result of an order prohibiting or limiting the carrying on of the business, shall be subject to the same rules as to preferential payments as are applicable to the distribution of the assets of a company which is being wound up, and those assets shall, so far as they are available for discharging unsecured debts, be applied in discharging such debts due to creditors who are not enemies in priority to the unsecured debts due to creditors who are enemies; and any balance, after providing for the discharge of liabilities, shall be distributed amongst the persons interested therein in such manner as the Board of Trade may direct:

In re Kastner 1917 1 Ch. 390

Continho v. Vermont 1917 W.N. 225; 1917 2 K.B. 587

In re Goldschmid 1917 W.N. 193

In re Meyers ibid 1917 2 Ch. 201 1917 W.N. 352

In re Deutsch 1918 W.N. 3; 1918 1 Ch. 331

In re Dresdner Bank 1920 W.N. 140

In re Deutsche Bank 1921 W.N. 259

Provided that any sums or other property which had a state of war not existed would have been payable or transferable under this section to enemies, whether as creditors or otherwise, shall be paid or transferred to the custodian under the Trading with the Enemy Amendment Act, 1914, to be dealt with by him in like manner as money paid to him under that Act.

5 Geo. 5. c. 12.

(4) Where there are assets of the business in enemy territory, the controller shall cause an estimate to be prepared of the value of those assets and also of the liabilities of the business to creditors, whether secured or unsecured, in enemy territory, and of the claims of persons in enemy territory to participate in the distribution of any balance available for distribution, and such liabilities and claims shall, for the purposes of this section, be deemed to have been satisfied out of such assets so far as they are capable of bearing them, and the balance (if any), of such liabilities and claims shall alone rank for payment out of the other assets of the business. A certificate by the controller as to the amount of such assets, liabilities claims and balance shall be conclusive for the purpose of determining the sums available for discharging the other liabilities and for distribution amongst other persons claiming to be interested in the business:

Provided that nothing in this provision shall affect the rights of creditors of and other persons interested in the business against the assets of the business in enemy territory.

(5) The Board of Trade may, on application for the purpose being made by a controller appointed under this section, after considering the application and any objection which may be made by any person who appears to them to be interested, grant him a release, and an order of the Board releasing the controller shall discharge him from all liability in respect of any act done or default made by him in the exercise and performance of his powers and duties as controller, but any such order may be revoked on proof that it was obtained by fraud or by suppression or concealment of any material fact.

(6) If any person contravenes the provisions of any order made under this section he shall be guilty of a misdemeanour punishable and triable in like manner as the offence of trading with the enemy, and section one of the Trading with the Enemy Act, 1914, shall apply accordingly.

4 & 5 Geo. 5. c. 87.

(7) Where an order under this section has been made as respects the business carried on by any person, firm, or company, no bankruptcy petition or petition for sequestration or summary sequestration against such person or firm, or petition for the winding up of such company, shall be presented, or resolution for the winding up of such company passed, or steps for the enforcement of the rights of any creditors of the person, firm, or company taken, without the consent of the Board of Trade, but the Board of Trade may present a petition for the winding

up of the company by the court, and the making of an order under this section shall be a ground on which the company may be wound up by the court.

(8) The Board of Trade shall from time to time prepare and lay before Parliament lists of the persons, firms, and companies as to whom orders have been made under this section, together with short particulars of such orders, and notice of the making of an order under this section prohibiting or limiting the carrying on of any business, or requiring any business to be wound up, shall be published in the London, Edinburgh, or Dublin Gazette, as the case may require.

(9) Where a person, being a subject of His Majesty or of any State allied to His Majesty, is detained in enemy territory against his will, that person for the purposes of this section shall not be treated as an enemy or as being in enemy territory.

(10) An order made under this section shall continue in force notwithstanding the termination of the present war until determined by order of the Board of Trade.

Provision as to contracts against public interest.

2. Where it appears to the Board of Trade that a contract entered into before or during the war with an enemy or enemy subject or with a person, firm, or company in respect of whose business an order shall have been made under section one of this Act is injurious to the public interest, the Board of Trade may by order cancel or determine such contract either unconditionally or upon such conditions as the Board may think fit, and thereupon such contract shall be deemed to be cancelled or determined accordingly.

Extension of powers to appoint inspectors and supervisors.

3. The power of the Board of Trade to appoint inspectors and supervisors under the Trading with the Enemy Acts, 1914 and 1915, shall include a power to appoint an inspector or supervisor of the business carried on by any person, firm, or company in the United Kingdom for the purpose of ascertaining whether the business is carried on for the benefit of or under the control of enemy subjects, or for the purpose of ascertaining the relations existing, or which before the war existed, between such person, firm, or company, or of any members of that firm or company, and any such subject; and the Board of Trade may require any inspector, supervisor, or controller appointed under the said Acts or this Act to furnish them with reports on any matters connected with the business.

Power of Board of Trade to vest enemy property in custodian.

4.—(1) The Board of Trade, in any case where it appears to them to be expedient to do so, may by order vest in the custodian under the Trading with the Enemy Amendment Act, 1914, any property, real or personal (including any rights whether legal or equitable, in or arising out of property, real or personal), belonging to or held or managed for or on behalf of an enemy or enemy subject, or the right to transfer that property,

and may by any such order, or any subsequent order, confer on the custodian such powers of selling, managing and otherwise dealing with the property as to the Board may seem proper.

(2) A vesting order under this section as respects property of any description shall be of the like purport and effect as a vesting order as respects property of the same description made by the High Court under the Trustee Act, 1893, and shall be sufficient to vest in the custodian any property, or the right to transfer any property as provided by the order, without the necessity of any further conveyance, assurance, or document.

56 & 57 Vict. c. 53.

(3) Where in exercise of the powers conferred on him by the Board of Trade or by the court under this Act or by virtue of the Trading with the Enemy Amendment Act, 1914, the custodian proposes to sell any shares or stock forming part of the capital of any company or any securities issued by the company in respect of which a vesting order under either of the said enactments has been made, the company may, with the consent of the Board of Trade, purchase the shares, stock, or securities, any law or any regulation of the company to the contrary notwithstanding, and any shares, stock, or securities so purchased may from time to time be re-issued by the company.

(4) The transfer on sale by the custodian of any property shall be conclusive evidence in favour of the purchaser and of the custodian that the requirements of this section have been complied with.

(5) All property vested in the custodian under this section, and the proceeds of the sale of, or money arising from, any such property shall be dealt with by him in like manner as money paid to and property vested in him under the Trading with the Enemy Amendment Act, 1914, and section five of that Act as amended by this Act shall apply accordingly.

Duty of enemy subjects to make returns as to property.

5. It shall be the duty of every enemy subject who is within the United Kingdom, if so required by the custodian, within one month after being so required, to furnish the custodian with such particulars as to—

(*a*) any stocks, shares, debentures, or other securities issued by any company, government, municipal or other authority held by him or in which he is interested; and

(*b*) any other property of the value of fifty pounds or upwards belonging to him or in which he is interested

as the custodian may require, and if he fails to do so he shall, on conviction under the Summary Jurisdiction Acts, be liable to a fine not exceeding one hundred pounds, or to imprisonment with or without hard labour for a term not exceeding six months, or to both such a fine and imprisonment, and, in addition, to a further fine not exceeding fifty pounds for every day during which the default continues.

Right of custodian to have enemy patent granted to him.

6. If the benefit of an application made by or on behalf or for the benefit of an enemy or enemy subject for any patent is, by an order under the Trading with the Enemy Amendment Act, 1914, or this Act, vested in the custodian, the patent may be granted to the custodian as patentee and may, notwithstanding anything in section twelve of the Patents and Designs Act, 1907, be sealed accordingly by the Comptroller General of Patents, Designs, and Trade Marks, and any patent so granted to the custodian shall be deemed to be property vested in him by such order as aforesaid.

7 Edw. 7. c. 29.

Duration of restrictions on dealings with enemy property.

7. Any restrictions imposed by any Act or Proclamation on dealings with enemy property shall continue to apply to property particulars whereof are or are liable to be notified to the custodian in pursuance of section three of the Trading with the Enemy Amendment Act, 1914, as extended by any subsequent enactment, not only during the continuance of the present war, but thereafter until such time as they may be removed by Order in Council, and Orders in Council may be made removing all or any of those restrictions either simultaneously as respects all such property or at different times as respects different classes or items of property.

Registration of transfer without production of certificates, &c.

8.—(1) Where the custodian executes a transfer of any shares, stock, or securities which he is empowered to transfer by a vesting order made under section four of the Trading with the Enemy Amendment Act, 1914, or under this Act, the company or other body in whose books the shares, stock, or securities are registered shall, upon the receipt of the transfer so executed by the custodian, and upon being required by him so to do, register the shares, stock, or securities in the name of the custodian or other transferee, notwithstanding any regulation or stipulation of the company or other body, and notwithstanding that the custodian is not in possession of the certificate, script, or other document of title relating to the shares, stock, or securities transferred, but such registration shall be without prejudice to any lien or charge in favour of the company or other body or to any other lien or charge of which the custodian has notice.

(2) If any question arises as to the existence or amount of any lien or charge the question may, on application being made for the purpose, be determined by the High Court or a judge thereof.

Validity of vesting orders.

9. Where a vesting order has been made under section four of the Trading with the Enemy Amendment Act, 1914, or under this Act as respects any property belonging to or held or managed for or on behalf of a person who appeared to the Court or Board making the order to be an enemy or enemy subject, the order shall not nor shall any proceedings thereunder or in consequence thereof be invalidated or affected by reason

only of such person having, prior to the date of the order, died or ceased to be an enemy or enemy subject or subsequently dying or ceasing to be an enemy or enemy subject, or by reason of its being subsequently ascertained that he was not an enemy or an enemy subject, as the case may be.

Power to refuse registration of companies in certain cases, &c.

10.—(1) Where on an application for the registration of a company it appears to the Registrar of Joint Stock Companies that any subscriber of the memorandum of association or any proposed director of the company is an enemy subject, he may refuse to register the company.

(2) No allotment or transfer of any share, stock, debenture, or other security issued by a company made after the passing of this Act to or for the benefit of an enemy subject, shall, unless made with the consent of the Board of Trade, confer on the allottee or transferee any rights or remedies in respect thereof, and the company by whom the security was issued shall not take any cognisance of or otherwise act upon any notice of any such transfer except by leave of a court of competent jurisdiction or of the Board of Trade.

If any company contravenes the provisions of this section the company shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding one hundred pounds, and every director, manager, secretary, or other officer of the company who is knowingly a party to the default shall be liable on conviction to a fine for a like amount or to imprisonment, with or without hard labour, for a term not exceeding six months.

(3) Where the right of nominating or appointing a director of a company is vested in any enemy or enemy subject, the right shall not be exerciseable except by leave of the Board of Trade, and any director nominated or appointed in exercise of such right shall, except as aforesaid, cease to hold office as director.

Power of court to order winding-up of companies in certain circumstances.

11. Where the Board of Trade certify that it appears to them that a company registered in the United Kingdom is carrying on business either directly or through an agent, branch, or subsidiary company outside the United Kingdom, and that in carrying on such business it has entered into or done acts which if entered into or done in the United Kingdom would constitute the offence of trading with the enemy, the Board of Trade may present a petition for the winding-up of the company by the court, and the issue of such a certificate shall be a ground on which the company may be wound up by the court, and the certificate shall, for the purposes of the petition, be evidence of the facts therein stated.

Amendment of 5 Geo. 5. c. 12. s. 5.

12. In subsection (2) of section five of the Trading with the Enemy Amendment Act, 1914, for the words "by whose order "any property belonging to an enemy was vested in the

" custodian under this Act or of any court in which judgment " has been recovered against an enemy" there shall be substituted the word " thereof."

Fees payable to custodian.

13. For removing doubts, it is hereby declared that the custodian under the Trading with the Enemy Acts, 1914 and 1915, has and shall be deemed always to have had power to charge such fees in respect of his duties under that Act and this Act, whether by way of percentage or otherwise as the Treasury may fix, and such fees shall be collected and accounted for by such persons in such manner and shall be paid to such account as the Treasury direct, and the incidence of the fees as between capital and income shall be determined by the custodian.

Mode of action by Board of Trade.

14. All things required or authorised under the Trading with the Enemy Acts, 1914 and 1915, or this Act to be done by, to or before the Board of Trade may be done by, to, or before the President or a Secretary or an Assistant Secretary of the Board of Trade, or any person authorised in that behalf by the President of the Board of Trade.

Definitions.

15. In this Act the expression "enemy subject" means a subject of a State for the time being at war with His Majesty, and includes a body corporate constituted according to the laws of such a State.

Short title and construction.

16. This Act may be cited as the Trading with the Enemy Amendment Act, 1916, and shall be construed as one with the Trading with the Enemy Acts, 1914 and 1915, and those Acts and this Act may be cited together as the Trading with the Enemy Acts, 1914 to 1916.

TABLE II.

A

TABLE

OF

The TITLES of the LOCAL and PRIVATE ACTS (including the PUBLIC ACTS of a Local Character) passed during the Session (arranged according to Chapter).

5 & 6 GEORGE 5.—A.D. 1914–16.

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

ROYAL ASSENT, 16th March 1915.

P. i. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Aberdeen Corporation. (*Aberdeen Corporation Order Confirmation.*)

P. ii. An Act to confirm a Provisional Order of the Local Government Board relating to Darlington. (*Local Government Board's Provisional Order Confirmation* (*No.* 23).)

ROYAL ASSENT, 19th May 1915.

P. iii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Aberavon Birkenhead Cheltenham Neath Newton in Mackerfield Ulverston and Widnes. (*Local Government Board's Provisional Orders Confirmation* (*No.* 1).)

P. iv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Caledonian Railway. (*Caledonian Railway Order Confirmation.*)

v. An Act to empower the Corporation of the city of Liverpool to acquire further lands to extend the powers of the Corporation with respect to the leasing of corporate land and for other purposes. (*Liverpool Corporation.*)

vi. An Act to enable the London Chatham and Dover Railway Company to raise further capital and for other purposes. (*London Chatham and Dover Railway.*)

vii. An Act to authorise the Ascot District Gas and Electricity Company to raise additional capital and for other purposes. (*Ascot District Gas and Electricity.*)

viii. An Act to amend the Mersey Railway Act 1900 and for other purposes. (*Mersey Railway.*)

ix. An Act to alter the name of the President Vice-Presidents Treasurer and Governors of the Asylum for the Deaf and Dumb Poor and to enable them to acquire and hold additional lands and for other purposes. (*Royal School for Deaf and Dumb Children Margate.*)

x. An Act to confer further powers upon the Ilfracombe Gas Company and for other purposes. (*Ilfracombe Gas.*)

xi. An Act to empower the Company of Proprietors of the Neath Canal Navigation to raise further moneys. (*Neath Canal Navigation.*)

xii. An Act to authorise the Great Central Railway Company to use certain lands for railway purposes to extend the time for the compulsory purchase of lands and for the completion of works to enable the Company to raise further capital and for other purposes. (*Great Central Railway.*)

Royal Assent, 9th June 1915.

xiii. An Act for conferring further powers upon the Frimley and Farnborough District Water Company. (*Frimley and Farnborough District Water.*)

xiv. An Act to empower the Blyth Harbour Commissioners to construct a toll bridge over the River Blyth with approaches thereto to construct new piers or breakwaters and for other purposes. (*Blyth Harbour.*)

xv. An Act to authorise the Corporation of Doncaster to construct street improvements to confer upon the Corporation further powers with reference to their water and gas undertakings to make better provision for the health local government and finance of the borough of Doncaster and for other purposes. (*Doncaster Corporation.*)

xvi. An Act for conferring further powers upon the Great Eastern Railway Company for extending the time limited by former Acts for the completion of works and the purchase of lands by the Company and for the purchase of lands by the Great Northern and Great Eastern Joint Committee and for other purposes. (*Great Eastern Railway.*)

xvii. An Act to extend the time for the compulsory purchase of lands for and completion of works authorised by the Bury and District Joint Water Board Act 1903. (*Bury and District Joint Water Board.*)

xviii. An Act to regulate the user of the Shirehall and Guildhall at Shrewsbury in the County of Salop and for other purposes. (*Salop County Council (Shirehall and Guildhall).*)

ROYAL ASSENT, 24th June 1915.

xix. An Act to extend the limits of supply of the Brighton and Hove General Gas Company and for other purposes. (*Brighton and Hove Gas.*)

xx. An Act for making provisions respecting the capital of the Falmouth Docks Company and for other purposes. (*Falmouth Docks.*)

xxi. An Act to change the name of the Ormskirk Gas Light Company to empower the Company to acquire additional lands to supply electricity and to raise additional capital and for other purposes. (*Ormskirk Gas and Electricity.*)

xxii. An Act to make further provision respecting the capital and undertaking of the Metropolitan District Railway Company to confer further powers on the London and South Western Railway Company in respect of their Wimbledon and Fulham Railway and on the Wimbledon and Sutton Railway Company and for other purposes. (*Metropolitan District Railway.*)

xxiii. An Act to enable the Seaforth and Sefton Junction Railway Company to create and issue a capital stock guaranteed by the Great Central and Great Northerk Railway Companies to revive the powers and extend the time for the completion of the Seaforth and Sefton Junction Railways and for other purposes. (*Seaforth and Sefton Junction Railway.*)

xxiv. An Act to empower the Commissioners of the Streatley and Goring Bridge and approaches to construct a new bridge and approaches across the Thames between Streatley and Goring and for other purposes. (*Streatley and Goring Bridge.*)

xxv. An Act to revive and extend the powers for the acquisition of lands and to extend the time for the construction of certain authorised tramways of the Bristol Tramways and Carriage Company Limited and for other purposes. (*Bristol Tramways.*)

xxvi. An Act to confer powers on the mayor aldermen and burgesses of the county borough of Halifax for the construction of tramways to provide and run trolley vehicles and omnibuses and to make further provision with regard to their tramway undertaking and for other purposes. (*Halifax Corporation.*)

xxvii. An Act to confer powers upon the lord mayor aldermen and citizens of the city of Sheffield with respect to the construction of tramways and the running of omnibuses and for other purposes. (*Sheffield Corporation (Tramways).*)

xxviii. An Act for conferring further capital powers on the West Gloucestershire Water Company and for other purposes. (*West Gloucestershire Water.*)

P. xxix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Forfar Gas. (*Forfar Gas Order Confirmation.*)

P. xxx. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Great North of Scotland Railway. (*Great North of Scotland Railway Order Confirmation.*)

P. xxxi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Highland Railway. (*Highland Railway Order Confirmation.*)

P. xxxii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Irvine and District Water Board (Emergency Powers). (*Irvine and District Water Board (Emergency Powers) Order Confirmation.*)

ROYAL ASSENT, 2nd July 1915.

P. xxxiii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Clifden and Enniscorthy. (*Electric Lighting Orders Confirmation (No. 1).*)

P. xxxiv. An Act to confirm certain Provisional Orders of the Local Government Board relating to Bridlington Huddersfield St. Helens Scarborough and Skelmersdale. (*Local Government Board's Provisional Orders Confirmation (No. 2).*)

P. xxxv. An Act to confirm certain Provisional Orders of the Local Government Board relating to Cowes and East Cowes Milford Haven Southend-on-Sea (two) Stafford and Worthing. (*Local Government Board's Provisional Orders Confirmation* (*No.* 3).)

P. xxxvi. An Act to confirm certain Provisional Orders of the Local Government Board relating to Hursley (Rural) Pudsey Ruislip-Northwood and Whitley and Monkseaton. (*Local Government Board's Provisional Orders Confirmation* (*No.* 4).)

P. xxxvii. An Act to confirm a Provisional Order of the Local Government Board relating to the County of Nottingham. (*Local Government Board's Provisional Order Confirmation* (*No.* 7).)

P. xxxviii. An Act to confirm a Provisional Order under the Salmon and Freshwater Fisheries Act 1907 relating to the River Conway and other waters. (*Conway Fisheries Provisional Order Confirmation.*)

P. xxxix. An Act to confirm a Provisional Order under the Sea Fisheries Act 1868 relating to Mussel Fisheries in parts of the sea adjoining the counties of Carnarvon Merioneth and Cardigan. (*Sea Fisheries* (*Cardigan Bay*) *Provisional Order Confirmation.*)

P. xl. An Act to confirm a Provisional Order under the Sea Fisheries Act 1868 relating to Oyster Mussel and Cockle Fisheries in and near Poole Harbour. (*Sea Fisheries* (*Poole*) *Provisional Order Confirmation.*)

P. xli. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act 1870 relating to Bury Corporation Tramways and Hull Corporation Tramways. (*Tramways Orders Confirmation*)

xlii. An Act for conferring further powers on the Altrincham Gas Company and for providing for the raising of additional capital and for other purposes. (*Altrincham Gas.*)

xliii. An Act to continue and confer further powers upon the Town of Warwick Gas Light Company to change the name of the Company and for other purposes. (*Warwick Gas.*)

xliv. An Act to empower the Ammanford Urban District Council to construct street improvements and for other purposes. (*Ammanford Urban District Council.*)

xlv. An Act to incorporate the Friends' Provident Institution and to provide for the management of its affairs and for other purposes. (*Friends' Provident Institution.*)

xlvi. An Act to constitute and incorporate the Trustees of the Methodist Church in Ireland and to vest in them certain trust properties for the said Church and to provide for the administration of those properties and for other purposes connected therewith. (*Methodist Church in Ireland.*)

xlvii. An Act to empower the mayor aldermen and burgesses of the borough of Sunderland to reconstruct the Wearmouth Bridge and for other purposes. (*Sunderland Corporation (Wearmouth Bridge).*)

ROYAL ASSENT, 15th July 1915.

xlviii. An Act to confer further powers on the Eastern Valleys (Monmouthshire) Joint Sewerage Board. (*Eastern Valleys (Monmouthshire) Joint Sewerage Board.*)

xlix. An Act to consolidate and convert the existing shares of the Prescot Gas Company to authorise the Company to raise additional capital and for other purposes. (*Prescot Gas.*)

l. An Act to authorise the Spennymoor and Tudhoe Gas Company to raise additional capital and to confer further powers upon that Company. (*Spennymoor and Tudhoe Gas.*)

li. An Act to enable the Skegness Urban District Council to acquire the undertaking of the Skegness Gas Company and to confer upon the Council powers in relation to the supply of gas. (*Skegness Urban District Gas.*)

lii. An Act for conferring further powers upon the Corporation of Rotherham with reference to their tramway and electricity undertakings to authorise the construction of street works and to make better provision for the health local government and finance of the borough of Rotherham and for other purposes. (*Rotherham Corporation.*)

liii. An Act to provide for the transfer of the undertaking of the Chelmsford Gas Company to the mayor aldermen and burgesses of the borough of Chelmsford and to confer further powers on that corporation with respect to the supply of gas and for other purposes. (*Chelmsford Corporation Gas.*)

liv. An Act to provide for the transfer of the undertaking of the Lurgan Gas Light and Chemical Company Limited to the urban district council of Lurgan to confer further powers on the Council with respect to the supply of gas electricity and water and to make further and better provision for the improvement health and local government of the district and for other purposes. (*Lurgan Urban District Council.*)

lv. An Act to amend the Port of London Act 1908 in reference to the election of elected members of the Port of London Authority. (*Port of London.*)

lvi. An Act to authorise the Sutton District Water Company to raise further moneys and for other purposes. (*Sutton District Waterworks.*)

lvii. An Act to enable the urban district council of Aberdare to make and maintain tramways and to run trolley cars by railless traction and motor omnibuses to carry out street improvements and to confer further powers upon the Council and for other purposes. (*Aberdare Urban District Council.*)

lviii. An Act to confer further powers on the Northwich Gas Company and for other purposes. (*Northwich Gas.*)

P. lix. An Act to confirm a Provisional Order under the Burgh Police (Scotland) Act 1892 relating to Kilmarnock Gas. (*Kilmarnock Gas Order Confirmation.*)

P. lx. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Irvine and District Water Board. (*Irvine and District Water Board Order Confirmation.*)

ROYAL ASSENT, 29th July 1915.

lxi. An Act to authorise the Stalybridge Hyde Mossley and Dukinfield Tramways and Electricity Board to construct additional tramways to extend their area for the supply of electricity and for other purposes. (*Stalybridge Hyde Mossley and Dukinfield Tramways and Electricity Board.*)

lxii. An Act to authorise the urban district council of Ashington to construct new waterworks to confer further powers on the Council in regard to their water undertaking and for other purposes. (*Ashington Urban District Council.*)

lxiii. An Act to confer further powers upon the mayor aldermen and burgesses of the county borough of South Shields in regard to their tramway undertaking to extend their Mill Dam Quay to construct street works and to acquire lands to make better provisions in regard to the electrical undertaking and the local government health and finance of the borough and for other purposes. (*South Shields Corporation.*)

lxiv. An Act to empower the mayor aldermen and burgesses of the borough of Wolverhampton to construct additional waterworks to extend their limits for the supply of water and to make further provision in regard to their water undertaking and for other purposes. (*Wolverhampton Corporation Water.*)

lxv. An Act to authorise the urban district council of Barnoldswick to construct new waterworks and to acquire additional lands to confer further powers on the Council in regard to their water undertaking and for other purposes. (*Barnoldswick Urban District Council Water.*)

lxvi. An Act to transfer to the mayor aldermen and citizens of the city of Nottingham part of the undertaking of the Trent Navigation Company and for other purposes (*Nottingham Corporation (Trent Navigation Transfer).*)

lxvii. An Act to authorise the Southend Waterworks Company to construct new works to raise additional capital and for other purposes. (*Southend Waterworks.*)

lxviii. An Act to authorise the City and South London Railway Company the Central London Railway Company the London Electric Railway Company and the Metropolitan District Railway Company or any of them to make agreements with each other and with the London General Omnibus Company Limited for the purpose of establishing a common fund the application of such fund and for other purposes. (*London Electric Railway Companies' Facilities.*)

lxix. An Act to consolidate with amendments certain of the local Acts in force in the borough of Plymouth to confer further powers upon the mayor aldermen and burgesses of that borough and to make further provision in regard to the health local government and improvement of the borough and for other purposes. (*Plymouth Corporation.*)

lxx. An Act to authorise the South Staffordshire Waterworks Company to extend their limits of supply to construct new works to raise additional capital and for other purposes. (*South Staffordshire Waterworks.*)

lxxi. An Act to authorise the Rhondda Urban District Council to construct additional tramways to make street improvements to confer upon the Council further powers in relation to their gas and water undertakings and for the better local government and improvement of the district and for other purposes. (*Rhondda Urban District Council Tramways Extensions &c.*)

lxxii. An Act to empower the Weardale and Consett Water Company to construct additional works and for other purposes. (*Weardale and Consett Water.*)

lxxiii. An Act to empower the Metropolitan Water Board to make waterworks and other works and to acquire lands and for other purposes. (*Metropolitan Water Board.*)

lxxiv. An Act to empower the mayor aldermen and burgesses of the borough of Dewsbury to construct an additional tramway to confer further powers upon them in regard to their tramway gas and electricity undertakings and with respect to the disposal of trade refuse and to make further provision for the improvement health and good government of the said borough and for other purposes. (*Dewsbury Corporation.*)

lxxv. An Act to regulate the expenditure on capital account and lending of money by the London County Council during the financial period from the first day of April one thousand nine hundred and fifteen to the thirtieth day of September one thousand nine hundred and sixteen and for other purposes. (*London County Council (Money).*)

lxxvi. An Act to confer further powers upon the London County Council with regard to parks and open spaces and other matters to confer various powers upon metropolitan borough councils and for other purposes. (*London County Council (Parks, &c.).*)

lxxvii. An Act to authorise the mayor aldermen and citizens of the city of Lincoln to acquire and extinguish the rights of the freemen of the city and others in or in respect of the commons in and adjoining the city and to make provision for the management thereof to provide and work trolley vehicles and motor omnibuses to make further provision with regard to the supply of gas and electricity and with regard to the health local government and improvement of the city and for other purposes. (*Lincoln Corporation.*)

P. lxxviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1889 relating to Port-Glasgow Gas and Burgh Extension. (*Port-Glasgow Gas and Burgh Extension Order Confirmation.*)

P. lxxix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Corporation (Parks Harbour Tunnel Gas &c.). (*Glasgow Corporation (Parks Harbour Tunnel Gas &c.) Order Confirmation.*)

P. lxxx. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dunfermline and District Tramways (Extensions). (*Dunfermline and District Tramways (Extensions) Order Confirmation.*)

P. lxxxi. An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Provisional Order (Marriages) Act 1905. (*Provisional Order (Marriages) Confirmation.*)

P. lxxxii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Haworth Urban District Irlam Kingston-upon-Hull (Extension) Knaresborough Litherland Normanton Urban District Ryde (Amendment) Skipton Stanley (Yorkshire) and Tenby. (*Electric Lighting Orders Confirmation* (*No.* 2).)

P. lxxxiii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Andover Boston and District Chipstead and District Connah's Quay East Grinstead Urban District Selby and District Southampton (Extension) and Street and District. (*Electric Lighting Orders Confirmation* (*No.* 3).)

P. lxxxiv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Harrogate (Extension) Keighley (Extension) Teignmouth Tunbridge Wells (Extension) Warrington (Extension) and Ystradgynlais. (*Electric Lighting Orders Confirmation* (*No.* 4).)

P. lxxxv. An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 with the concurrence of the Local Government Board constituting a Joint Board consisting of representatives of the urban districts of Wath-upon-Dearne Bolton-upon-Dearne and Thurnscoe all in the West Riding of the county of York for the joint exercise of powers under the Electric Lighting Acts in respect of their respective districts. (*Electric Lighting Order Confirmation* (*No.* 5).)

P. lxxxvi. An Act to confirm a Provisional Order under the Land Drainage Act 1861 in the matter of a proposed drainage district in the Parishes of Fangfoss Full Sutton Bolton High Catton Wilberfoss Newton-upon-Derwent Barmby-on-the-Moor Sutton-upon-Derwent Allerthorpe Thornton Storwood Melbourne Wheldrake Thorganby with West Cottingwith East Cottingwith and Bielby in the East Riding of the County of York. (*Land Drainage Provisional Order Confirmation.*)

P. lxxxvii. An Act to confirm a Provisional Order under the Land Drainage Act 1914 relating to the River Ouse in the County of Norfolk. (*Land Drainage* (*Ouse*) *Provisional Order Confirmation.*)

P. lxxxviii. An Act to confirm a Provisional Order under the Land Drainage Act 1861 in the matter of a proposed drainage district in the parishes of Raveningham Norton Subcourse Thurlton Loddon Chedgrave and Reedham. (*Land Drainage* (*Raveningham*) *Provisional Order Confirmation.*)

P. lxxxix. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban District of Kingstown the Rural Districts of Dingle Kenmare and Rathdrum and the Londonderry Port Sanitary Authority. (*Local Government Board (Ireland) Provisional Orders Confirmation (No.* 1).)

P. xc. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban Districts of Armagh and Lisburn and the Rural Districts of Carlow and Dungannon. (*Local Government Board (Ireland) Provisional Orders Confirmation (No.* 2).)

P. xci. An Act to confirm certain Provisional Orders of the Local Government Board relating to Birmingham Bootle Bradford Liverpool and Stockton-on-Tees. (*Local Government Board's Provisional Orders Confirmation (No.* 5).)

P. xcii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Cardiff Coventry Lytham Sheffield and the Rothwell Joint Cemetery District. (*Local Government Board's Provisional Orders Confirmation (No.* 6).)

P. xciii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Swansea Wombwell the West Kent Main Sewerage District and Leeds. (*Local Government Board's Provisional Orders Confirmation (No.* 8).)

P. xciv. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Bury and District Joint Hospital District the Henley and Wallingford and the Middlesex Districts Joint Small-pox Hospital Districts and the North-East Salop United Districts. (*Local Government Board's Provisional Orders Confirmation (No.* 9).)

P. xcv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Oakham Gas Staveley Gas Thirsk Gas and Thirsk District Water. (*Gas and Water Orders Confirmation (No.* 1).)

P. xcvi. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Guildford Gas Melton Mowbray Gas Swanage Gas and Hoylake and West Kirby Gas and Water. (*Gas and Water Orders Confirmation (No.* 2).)

P. xcvii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Cheadle Gas Heathfield and Waldron Gas Liverpool Gas Mid Kent Gas Light and Coke Rothwell Gas and Fisherton Anger and Bemerton Waterworks. (*Gas and Water Orders Confirmation (No.* 3).)

P. xcviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Lossiemouth and Portmadoc. (*Pier and Harbour Orders Confirmation (No. 1).*)

P. xcix. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Cattewater and Poole. (*Pier and Harbour Orders Confirmation (No. 2).*)

P. c. An Act to confirm certain Provisional Orders made by the Board of Education under the Education Acts 1870 to 1911 to enable the Councils of the Administrative Counties of Derby the Isle of Ely and Montgomery the County Borough of West Ham and the Urban District of Leyton to put in force the Lands Clauses Acts. (*Education Board Provisional Orders Confirmation (Derbyshire, &c.).*)

P. ci. An Act to confirm certain Provisional Orders made by the Board of Education under the Education Acts 1870 to 1911 to enable the London County Council to put in force the Lands Clauses Acts. (*Education Board Provisional Orders Confirmation (London).*)

ROYAL ASSENT, 13th October 1915.

P. cii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Clackmannan County Water. (*Clackmannan County Water Order Confirmation.*)

ROYAL ASSENT, 28th October 1915.

ciii. An Act to make provision with regard to high-pressure gas meters music and dancing licences lying-in homes establishments for massage or special treatment and dangerous businesses to make provision as to the administration of powers under the Lunacy Acts to confer various powers upon the London County Council the corporation of the city of London and the metropolitan borough councils and for other purposes. (*London County Council (General Powers).*)

civ. An Act to empower the London County Council to construct and work new tramways to alter and reconstruct existing tramways and to make street improvements and other works and for other purposes. (*London County Council (Tramways and Improvements).*)

P. cv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Water. (*Glasgow Water Order Confirmation.*)

ROYAL ASSENT, 10th November 1915.

P. cvi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dundee Corporation. (*Dundee Corporation Order Confirmation.*)

ROYAL ASSENT, 23rd December 1915.

P. cvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Port Dundas Church and Parish Quoad Sacra Glasgow. (*Port Dundas Church and Parish Quoad Sacra Glasgow Order Confirmation.*)

cviii. An Act to make provision with regard to cinematograph films and celluloid and for other purposes. (*London County Council (Celluloid, &c.).*)

cix. An Act to confer powers on the corporation of the city of Glasgow with respect to cinematograph film and celluloid and for other purposes. (*Glasgow Celluloid.*)

PRIVATE ACTS.

NOT PRINTED.

ROYAL ASSENT, 27th November 1914.

An Act to dissolve the marriage of Henry John Pack-Beresford of Kellestown House in the county of Carlow Major with Sybil Maud Pack-Beresford his now wife and to enable him to marry again and for other purposes. (*Pack-Beresford's Divorce.*)

ROYAL ASSENT, 19th May 1915.

An Act to dissolve the marriage of Richard Henrik Beamish of Ashbourne Glounthaune in the county of Cork a Justice of the Peace and Deputy Lieutenant of the city of Cork with Violet Edith Beamish his wife and to enable him to marry again and for other purposes. (*Beamish Divorce.*)

An Act to dissolve the marriage of Phyllis Denny of Claverdon Hall in the county of Warwick with Gerald Henry Maynard Denny her husband and to enable her to marry again and for other purposes. (*Denny's Divorce.*)

ROYAL ASSENT, 29th July 1915.

An Act to dissolve the marriage of Hugh Eyre Barton Massy of Stackallan Navan in the county of Meath Esquire with Gladys Massy his now wife and to enable him to marry again and for other purposes. (*Massy's Divorce.*)

TABLE IIA.

LIST

OF

THE LOCAL AND PRIVATE ACTS,

ARRANGED ALPHABETICALLY.

Aberdare Urban District Council. c. lvii.
Aberdeen Corporation Order Confirmation. c. i.
Altrincham Gas. c. xlii.
Ammanford Urban District Council. c. xliv.
Ascot District Gas and Electricity. c. vii.
Ashington Urban District Council. c. lxii.

Barnoldswick Urban District Council Water. c. lxv.
Beamish Divorce.
Blyth Harbour. c. xiv.
Brighton and Hove Gas. c. xix.
Bristol Tramways. cxxv.
Bury and District Joint Water Board. c. xvii.

Caledonian Railway Order Confirmation. c. iv.
Chelmsford Corporation Gas. c. liii.
Clackmannan County Water Order Confirmation. c. cii.
Conway Fisheries Provisional Order Confirmation. c. xxxviii.

Deaf and Dumb Poor Asylum. *See* Royal School for Deaf and Dumb Children Margate.
Denny's Divorce.
Dewsbury Corporation. c. lxxiv.
Doncaster Corporation. c. xv.
Dundee Corporation Order Confirmation. c. cvi.
Dunfermline and District Tramways (Extensions) Order Confirmation. c. lxxx.

Eastern Valleys (Monmouthshire) Joint Sewerage Board. c. xlviii.

Education Board Provisional Orders Confirmation :—
(Derbyshire, &c.). c. c.
(London). c. ci.

Electric Lighting Orders Confirmation :—
(No. 1). c. xxxiii.
(No. 2). c. lxxxii.
(No. 3). c. lxxxiii.
(No. 4). c. lxxxiv.
(No. 5). c. lxxxv.

Falmouth Docks. c. xx.

Forfar Gas Order Confirmation. c. xxix.

Friends' Provident Institution. c. xlv.

Frimley and Farnborough District Water. c. xiii.

Gas and Water Orders Confirmation :—
(No. 1). c. xcv.
(No. 2). c. xcvi.
(No. 3). c. xcvii.

Glasgow Celluloid. c. cix.

Glasgow Corporation (Parks Harbour Tunnel Gas &c.) Order Confirmation. c. lxxix.

Glasgow Water Order Confirmation. c. cv.

Great Central Railway. c. xii.

Great Eastern Railway. c. xvi.

Great North of Scotland Railway Order Confirmation. c. xxx.

Halifax Corporation. c. xxvi.

Highland Railway Order Confirmation. c. xxxi.

Ilfracombe Gas. c. x.

Irvine and District Water Board Order Confirmation. c. lx.

——— (Emergency Powers) Order Confirmation. c. xxxii.

Kilmarnock Gas Order Confirmation. c. lix.

Land Drainage Provisional Orders Confirmation :—
——— c. lxxxvi.
(Ouse). c. lxxxvii.
Raveningham. c. lxxxviii.

Lincoln Corporation. c. lxxvii.

Liverpool Corporation. c. v.

Local Government Board's Provisional Orders Confirmation:—
(No. 1). c. iii. | (No. 6). c. xcii.
(No. 2). c. xxxiv. | (No. 7). c. xxxvii.
(No. 3). c. xxxv. | (No. 8). c. xciii.
(No. 4). c. xxxvi. | (No. 9). c. xciv.
(No. 5). c. xci. | (No. 23). c. ii.

Local Government Board (Ireland) Provisional Orders Confirmation:—
(No. 1). c. lxxxix. | (No. 2). c. xc.

London Chatham and Dover Railway. c. vi.

London County Council (Celluloid, &c.) c. cviii.

——————————— (General Powers). c. ciii.

——————————— (Money). c. lxxv.

——————————— (Parks, &c.). c. lxxvi.

——————————— (Tramways and Improvements). c. civ.

London Electric Railway Companies' Facilities. c. lxviii.

Lurgan Urban District Council. c. liv.

Marriages Provisional Order. See Provisional Order (Marriages) Confirmation.

Massy's Divorce.

Mersey Railway. c. viii.

Methodist Church in Ireland. c. xlvi.

Metropolitan District Railway. c. xxii.

Metropolitan Water Board. c. lxxiii.

Neath Canal Navigation. c. xi.

Northwich Gas. c. lviii.

Nottingham Corporation (Trent Navigation Transfer). c. lxvi.

Ormskirk Gas and Electricity. c. xxi.

Pack-Beresford's Divorce.

Pier and Harbour Orders Confirmation:—
(No. 1). c. xcviii. | (No. 2). c. xcix.

Plymouth Corporation. c. lxix.

Port Dundas Church and Parish Quoad Sacra Glasgow Order Confirmation. c. cvii.

Port-Glasgow Gas and Burgh Extension Order Confirmation. c. lxxviii.

Port of London. c. lv.

Prescot Gas. c. xlix.

Provisional Order (Marriages) Confirmation. c. lxxxi.

Rhondda Urban District Council (Tramways Extensions &c.). c. lxxi.

Rotherham Corporation. c. lii.

Royal School for Deaf and Dumb Children Margate. c. ix.

Salop County Council (Shirehall and Guildhall). c. xviii.

Sea Fisheries Provisional Orders Confirmation :—
(Cardigan Bay). c. xxxix.
(Poole). c. xl.

Seaforth and Sefton Junction Railway. c. xxiii.

Sheffield Corporation (Tramways). c. xxvii.

Skegness Urban District Gas. c. li.

South Shields Corporation. c. lxiii.

South Staffordshire Waterworks. c. lxx.

Southend Waterworks. c. lxvii.

Spennymoor and Tudhoe Gas. c. l.

Stalybridge Hyde Mossley and Dukinfield Tramways and Electricity Board. c. lxi.

Streatley and Goring Bridge. c. xxiv.

Sunderland Corporation (Wearmouth Bridge). c. xlvii.

Sutton District Waterworks. c. lvi.

Tramways Orders Confirmation. c. xli.

Warwick Gas. c. xliii.

Weardale and Consett Water. c. lxii.

West Gloucestershire Water. c. xxviii.

Wolverhampton Corporation Water. c. lxiv.

TABLE III.

Showing the Effect of the Year's Legislation.

ACTS OF FORMER SESSIONS (IN CHRONOLOGICAL ORDER) REPEALED OR AMENDED BY ACTS OF 5 & 6 GEO. 5.*

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 5 & 6 Geo. 5.
10 Geo. 3. c. 47 -	East India Company - -	Repealed - - - -	61, s. 130, Sch. IV.
13 Geo. 3. c. 63 -	East India Company - -	Rep., except ss. 42, 43, 45 -	61, s. 130, Sch. IV.
21 Geo. 3. c. 70 -	East India Company - -	Rep., except s. 18 - -	61, s. 130, Sch. IV.
22 Geo. 3. c. 45 -	House of Commons (Disqualification).	Restricted - - - -	7, s. 14 (2). 96, s. 2 (4).
24 Geo. 3. (Sess. 2) c. 25.	East India Company - -	Unrepealed portions virt. rep.	61.
26 Geo. 3. c. 57 -	East India Company - -	S. 38 rep., and residue virt. rep.	61, s. 130, Sch. IV.
33 Geo. 3. c. 52 -	East India Company - -	Repealed - - - -	61, s. 130, Sch. IV.
37 Geo. 3. c. 142	East India Act, 1797 - -	Rep., except s. 12 - - -	61, s. 130, Sch. IV.
39 & 40 Geo. 3. c. 79.	Government of India - -	Repealed - - - -	61, s. 130, Sch. IV.
41 Geo. 3. (U.K.) c. 52.	House of Commons (Disqualifications).	Restricted - - - -	7, s. 14 (2). 96, s. 2 (4).
53 Geo. 3. c. 155 -	East India Company - -	Repealed - - - -	61, s. 130, Sch. IV.
55 Geo. 3. c. 84 -	Indian Presidency Towns -	Repealed - - - -	61, s. 130, Sch. IV.
4 Geo. 4. c. 71 -	Indian Bishops and Courts Act, 1823.	Repealed - - - -	61, s. 130, Sch. IV.
5 Geo. 4. c. 84 -	Transportation - - -	S. 23 repealed as to E. - -	90, s. 9 (1), Sch. II.
6 Geo. 4. c. 85 -	Indian Salaries and Pensions	Repealed - - - -	61, s. 130, Sch. IV.
7 Geo. 4 :			
c. 16	Chelsea and Kilmainham Hospitals.	S. 35 rep. in part - - -	90, s. 9 (1), Sch. II.
c. 46	Country Bankers - - -	S. 9 rep. in part - - -	90, s. 9 (1), Sch. II.
c. 56	East India Officers Act, 1826	Repealed - - - -	61, s. 130, Sch. IV.
c. 64	Criminal Law - - -	Ss. 14–16, 18, 19 rep. - -	90, s. 9 (1), Sch. II.

* Acts continued annually by the Expiring Laws Continuance Act are not noticed in this Table.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 5 & 6 Geo. 5.
7 & 8 Geo. 4. c. 28	Criminal Law	S. 11 rep. in part	90, s. 9 (1), Sch. II.
3 & 4 Will. 4. c. 85	Government of India	Rep., except s. 112	61, s. 130, Sch. IV.
5 & 6 Will. 4. :			
c. 52	India (North-West Provinces)	Repealed	61, s. 130, Sch. IV.
c. 69	Union and Parish Property	S. 7 rep. in part	90, s. 9 (1), Sch. II.
7 Will. 4. & 1 Vict. c. 47.	India, Officers' Salaries	Repealed	61, s. 130, Sch. IV.
2 & 3 Vict. :			
c. 47	Metropolitan Police	S. 48 applied temp.	84, s. 3 (4).
c. xciv.	City Police	S. 32 applied temp.	84, s. 3 (4).
5 & 6 Vict. :			
c. 35	Income Tax	S. 133 temp. re-enacted	7, s. 13 (1).
		Ss. 41, 53 ext.; ss. 106, 146 restr.; s. 108 rep.; s. 163 am.	89, ss. 21 (1), 31, 32, 51 (2), Sch. V.
c. 119	Indian Bishops Act, 1842	Repealed	61, s. 130, Sch. IV.
8 & 9 Vict. c. 109	Gaming	Applied temp.	84, s. 3 (4).
10 & 11 Vict. :			
c. 31	Poor Relief (I.)	S. 9 made subject to mod. or rep. by Order of Local Government Board (I.).	14, s. 1.
c. 63	Royal Marines	S. 5 temp. ext.	16, s. 1.
11 & 12 Vict. :			
c. 12	Treason Felony	S. 5 repealed as to E.	90, s. 9 (1), Sch. II.
c. 46	Criminal Procedure	Rep., so far as unrepealed, except as to I.	90, s. 9 (1), Sch. II.
c. 58	Naval Medical Supplemental Fund Society.	Repealed	28, s. 1 (3).
12 & 13 Vict. :			
c. 45	Quarter Sessions	S. 10 repealed	90, s. 9 (1), Sch. II.
c. 103	Poor Law Amendment	S. 15 rep. in part	90, s. 9 (1), Sch. II.
14 & 15 Vict. c. 100	Criminal Procedure	Ss. 1–3, 5, 7, 23–25 rep. as to E.	90, s. 9 (1), Sch. II.
16 & 17 Vict. :			
c. 34	Income Tax	S. 54 restricted	62, s. 17 (1).
		Ss. 21, 22 appl.; s. 40 restr.; s. 54 temp. am.	89, ss. 26 (1), 34, 44 (5).
c. 95	Government of India	Repealed	61, s. 130, Sch. IV.
17 & 18 Vict. c. 77	Government of India	Repealed	61, s. 130, Sch. IV.
19 & 20 Vict. c. 54	Grand Juries	S. 1 rep. in part	90, s. 9 (1), Sch. II.
21 & 22 Vict. :			
c. 44	Universities and College Estates.	S. 27 extended	22, ss. 1, 2.
c. 106	Government of India	Rep., except s. 4	61, s. 130, Sch. IV.
22 Vict. c. 28	Naval Medical Supplemental Fund Society.	Repealed	28, s. 1 (3).
22 & 23 Vict. :			
c. 17	Vexatious Indictments	Extended	34, s. 1 (4).
c. 41	Government of India	Repealed	61, s. 130, Sch. IV.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 5 & 6 Geo. 5.
23 & 24 Vict.:			
c. 100	European Forces (India) -	Repealed - - - -	61, s. 130, Sch. IV.
c. 102	East India Stock - - -	Rep., except s. 6 - - -	61, s. 130, Sch. IV.
24 & 25 Vict.:			
c. 45	General Pier and Harbour -	Applied, except s. 16 - -	48, s. 2.
c. 54	Indian Civil Service - -	Repealed - - - -	61, s. 130, Sch. IV.
c. 67	Indian Councils - - -	Repealed - - - -	61, s. 130, Sch. IV.
c. 96	Larceny - - - - -	Ss. 5, 71 rep.; ss. 28, 74, 88, 116 rep. in part, exc. as to I.	90, s. 9 (1), Sch. II.
c. 97	Malicious Damage - -	S. 60 rep. in part, exc. as to I.	90, s. 9 (1), Sch. II.
c. 98	Forgery - - - - -	Ss. 42, 43 rep.; s. 44 rep. in part, exc. as to I.	90, s. 9 (1), Sch. II.
c. 99	Coinage Offences - - -	S. 37 rep. in part as to E. -	90, s. 9 (1), Sch. II.
c. 100	Offences against the Person -	S. 6 repealed, exc. as to I. -	90, s. 9 (1), Sch. II.
c. 104	Indian High Courts - -	Repealed - - - -	61, s. 130, Sch. IV.
c. 108	Naval Medical, &c., Society -	Repealed - - - -	28, s. 1 (3).
25 & 26 Vict. c. 19	General Pier and Harbour Act, 1861, Amendment.	Applied with mods. - -	48, s. 2.
26 & 27 Vict.:			
c. 29	Corrupt Practices Prevention	S. 6 rep. in part as to E. -	90, s. 9 (1), Sch. II.
c. 87	Trustee Savings Banks - -	S. 27 extended - - -	93, s. 10.
c. 111	Naval Medical, &c., Society -	Repealed - - - -	28, s. 1 (3).
27 & 28 Vict.:			
c. 18	Revenue - - - - -	S. 15 restr. - - - -	89, s. 34.
c. 25	Naval Prize - - -	S. 10 extended - -	57, s. 4.
28 & 29 Vict.:			
c. 15	Indian High Courts - -	Repealed - - - -	61, s. 130, Sch. IV.
c. 17	Government of India - -	Repealed - - - -	61, s. 130, Sch. IV.
c. 72	Navy and Marines (Wills) -	Extended - - - -	17, s. 1.
29 & 30 Vict. c. 109	Naval Discipline - - -	Ss. 16, 23, 46, 50, 53 (7), 56 (3) (*c*), 59, 73, 75, 90 (5) am.; ss. 46A, 56 (3) (*d*), 69A, 74A, 90A, added.	30, ss. 1–14.
		Ss. 56 (3) (*a*) (*d*), 90 am.; ss. 57A, 98A, added.	73, ss. 1–4.
30 & 31 Vict.:			
c. 3	British North America - -	Ss. 21, 22, 26–28, 147 am.; s. 51A added.	45, ss. 1, 2.
c. 35	Criminal Law Amendment -	S. 1 rep. in part - - -	90, s. 9 (1), Sch. II.
c. 97	Trusts (S.) - - - - -	S. 12 applied - -	12, ss. 4 (3), 14 (3).
31 & 32 Vict.:			
c. 37	Documentary Evidence -	Appl. to Army Council, Secretary for S. and Loc. Govt. Bd. I.	94, s. 5.
c. 72	Promissory Oaths - -	Sch., Pt. I. am. - - -	51, s. 5 (2).
c. 110	Telegraph - - - - -	S. 16 amended (1) - - -	82, s. 1 (*c*).

(1) As from Jan. 1, 1917

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 5 & 6 Geo. 5.
32 & 33 Vict. :			
c. 62	Debtors	S. 19 repealed	90, s. 9 (1), Sch. II.
c. 97	Government of India	Repealed	61, s. 130, Sch. IV.
c. 98	Indian Councils Act, 1869	Repealed	61, s. 130, Sch. IV.
33 & 34 Vict. :			
c. 3	Government of India	Repealed	61, s. 130, Sch. IV.
c. 59	East India Contracts	Repealed	61, s. 130, Sch. IV.
34 & 35 Vict. :			
c. 34	Indian Councils	Repealed	61, s. 130, Sch. IV.
c. 62	Indian Bishops	Repealed	61, s. 130, Sch. IV.
36 & 37 Vict. c. 63	Law Agents (S.)	Amended	20, s. 1.
37 & 38 Vict. :			
c. 3	East India Loan	S. 15 repealed	61, s. 130, Sch. IV.
c. 40	Board of Trade Arbitrations, &c.	Applied	75, s. 3 (4).
c. 77	Colonial Clergy	S. 13 repealed	61, s. 130, Sch. IV.
c. 91	Indian Councils	Repealed	61, s. 130, Sch. IV.
38 & 39 Vict. :			
c. 24	Falsification of Accounts	S. 2 repealed, exc. as to I.	90, s. 9 (1), Sch. II.
c. 45	Sinking Fund	Ss. 3, 5 extended	62, s. 25 (1).
39 & 40 Vict :			
c. 36	Customs Consolidation	S. 139 extended	7, s. 11.
		S. 42 applied	31, s. 6.
		S. 172 applied	52, s. 1 (2).
		Ss. 30, 31 virt. am.; s. 168 am.	89, ss. 12 (3), 16.
		S. 29 rep. in part as to E.	90, s. 9 (1), Sch. II.
		S. 207 am.	102, s 1.
c. 79	Elementary Education	Grants under s. 19 (*par.* (2)) suspended temp.	95, s. 1 (1).
40 & 41 Vict. :			
c. 2	Treasury Bills	S. 6 restricted	6, s. 2 (2). 33, s. 3 (2). 53, s. 2 (2). 77, s. 2 (2). 80, s. 2 (2). 86, s. 2 (2).
c. 48	Universities of Oxford and Cambridge.	Extended	22, ss. 4–8.
41 & 42 Vict. c. 74	Contagious Diseases (Animals)	Rep. prosp. as to E., so far as unrepealed.	66, s. 21 (3), Sch. IV.
42 & 43 Vict. c. 21	Customs and Inland Revenue	S. 6 restricted	89, s. 13 (2).
43 Vict. c. 3.	Indian Salaries and Allowances.	Repealed	61, s. 130, Sch. IV.
43 & 44 Vict.:			
c. 19	Taxes Management	S. 59 applied	7, s. 13 (3). 62, s. 14 (2).
		S. 59 appl. with mods.; s. 82 am.	89, ss. 33, 45 (5).
c. 20	Inland Revenue	S. 2 restr.; s. 16 ext.; Sch. I. am.	7, ss 7, 8, 10.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 5 & 6 Geo. 5.
43 & 44 Vict. :			
c. 24	Spirits - - - - - -	Made subject to mod. by regs. of Commrs. of Customs and Excise ; s. 95 restr.	62, s. 8 (1) (2).
		S. 114 am., Sch. II. (Table B.) rep.	89, ss. 19 (3), 51 (2), Sch. V.
c. 46	Universities and College Estates Amendment.	Extended - - - -	22, ss. 1, 2.
44 & 45 Vict. :			
c. 12	Customs and Inland Revenue	S. 4 applied - - - -	7. s. 3.
c. 41	Conveyancing - - -	S. 48 restricted - - -	13. s. 2 (1).
c. 58	Army - - - - - -	Ss. 83 (1), 115, 183 (2) am. ; s. 184 A., Sch. VI. added.	26, ss. 1–4.
		S. 83 am. temp. - - -	43, s. 1.
		Ss. 31 (1) (7) (8), 108A (3) (*d*), 115 (3) (4) (6–9), 116, 117, 119 (1) (*b*), 121 (2), 141, 145 (2), 154, 156 (1) (9), 190 (27) am.	58, ss. 1–8, Sch.
		Applied (except s. 96) - -	104, s. 1 (2).
c. 63	India Office Auditor - -	Repealed - - - -	61, s. 130, Sch. IV.
c. 69	Fugitive Offenders - -	Made applic. by O. in C. to Protected States.	39. s. 1.
45 & 46 Vict. :			
c. 9	Documentary Evidence -	Applied to Army Council, Secretary for S. and Loc. Govt. Bd. I.	94. s. 5.
c. 48	Reserve Forces - - -	Applied ; s. 20 appl. - -	104, s. 1 (2–4).
c. 74	Post Office (Parcels) - -	S. 2 (2) am. temp. - -	82. s. 2 (2).
46 & 47 Vict. :			
c. 3	Explosive Substances - -	S. 7 (2) rep. as to E. - -	90, s. 9 (1), Sch. II.
c. 14	Constabulary and Police (I.)	S. 5 (2) applied - - -	32. s. 1 (3).
47 & 48 Vict. c. 38	Indian Marine Service - -	Ss. 2, 3, 4, 5 repealed - -	61. s. 130. Sch. IV.
48 & 49 Vict. :			
c. 51	Customs and Inland Revenue	S. 26 amended - - - -	62. s. 23.
c. 58	Telegraph - - - - -	S. 2 amended - - -	82, s. 1 (*b*).
49 & 50 Vict. c. 32	Contagious Diseases (Animals)	Rep. prosp. as to E., so far as unrepealed.	66, s. 21 (3), Sch. IV.
50 & 51 Vict. :			
c. 15	Customs and Inland Revenue	S. 18 amended and applied -	89. s. 22.
c. 28	Merchandise Marks - -	Extended - - - -	1, s. 1.
c. 71	Coroners - - - - -	S. 18 (*par.* (2)) rep. in part -	90, s. 9 (1), Sch. II.
51 & 52 Vict. :			
c. 2	National Debt Conversion -	S. 29 appl., Pt. IV. made applic.	55, s. 1 (4).
c. 8	Customs and Inland Revenue	S. 24 (3) am. as to annuities	62, s. 13.
c. 64	Law of Libel Amendment -	S. 7 repealed, exc. as to I. -	90, s. 9 (1), Sch. II.
52 & 53 Vict. :			
c. 42	Revenue - - - - -	S. 21 amended - - -	62, s. 8
c. 49	Arbitration - - - - -	Excluded - - - - -	99 s. 23.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 5 & 6 Geo. 5.
53 & 54 Vict. :			
c. 22	Education Code	Grants under Act suspended temp.	95, s. 1 (1).
c. 42	Reserve Forces	Applied	104, s. 1 (2).
55 & 56 Vict. :			
c. 14	Indian Councils	Repealed	61, s. 130, Sch. IV.
c. 55	Burgh Police (S.)	S. 96 am. temp.	47, s. 1 (1).
56 & 57 Vict. :			
c. 14	Statute Law Revision	Sch. amended	30, s. 15.
c. 53	Trustee	Applied to vesting orders under 5 & 6 Geo. 5, c. 12, s. 4.	12, s. 4.
c. 69	Savings Bank	Sch. I. extended	7, s. 14 (3).
		S. 5 (2), Sch. I. appl.	89, s. 48.
57 & 58 Vict. c. 30	Finance	S. 36 extended	62, s. 21 (1).
		Ss. 30, 34, 36 amended	89, s. 21 (1) (2) (4).
59 & 60 Vict. c. 28	Finance	Ss. 26, 27 amended	89, s. 22 (1).
60 & 61 Vict. c. 15	Navy and Marines (Wills)	Extended	17, s. 1.
61 & 62 Vict. :			
c. 10	Finance	Ss. 8, 12 amended	89, s. 21 (2) (5).
c. 55	Universities and College Estates.	Extended	22, ss. 1, 2.
c. 60	Inebriates	S. 1 (2) rep. in part as to E.	90, s. 9 (1), Sch. II.
62 & 63 Vict. :			
c. 40	Reserve Forces	Applied	104, s. 1 (2).
c. 51	Sale of Food and Drugs	Ss. 9, 11 rep. prosp. as to E.	66, s. 21 (3), Sch. IV.
63 & 64 Vict. :			
c. 42	Reserve Forces	Applied	104, s. 1 (2).
c. 44	Exportation of Arms	S. 1 extended	2, s. 1.
c. 46	Members of Local Authorities Relief.	Ext. temp.	10, s. 1.
3 Edw. 7 :			
c. 11	Contracts (India Office)	Repealed	61, s. 130, Sch. IV.
c. 20	Patriotic Fund Reorganisation.	Sch. I. am. and ext., Sch. I. (pars. 8–11) applied.	83, ss. 3 (4), 6.
4 Edw. 7. c. 26	Indian Councils	Repealed	61, s. 130, Sch. IV.
6 Edw. 7 :			
c. 11	Reserve Forces	Applied	104, s. 1 (2).
c. 55	Public Trustee	Applied	12, s. 1 (2).
c. 58	Workmen's Compensation	Restricted	24, s. 1 (3).
7 Edw. 7 :			
c. 13	Finance	S. 19 (2) am., s. 19 (4) rep.; s. 21 ext.	89, ss. 25 (2), 28, (1), 29, 51 (2) Sch. V.
c. 29	Patents and Designs	S. 27 suspended temp.	85, s. 1.
c. 35	Council of India	Repealed	61, s. 130, Sch. IV.
c. 51	Sheriff Courts (S.)	S. 16 amended	5, s. 1.
8 Edw. 7 :			
c. 48	Post Office	S. 2 (1) (*b*) (iii) am.	82, s. 1 (*a*).
		S. 73 rep. as to indictments as to E.	90, s. 9 (1), Sch. II.
c. 59	Prevention of Crime	S. 10 (3) repealed as to E.	90, s. 9 (1), Sch. II.
c. 69	Companies	Restr. as to registration of charges.	11, s. 2 (2).

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 5 & 6 Geo. 5.
9 Edw. 7 :			
c. 4	Indian Councils	Repealed	61, s. 130, Sch. IV.
c. 47	Development and Road Improvement Funds.	Sch. made applic.	4, s. 1 (2) (*d*).
10 Edw. 7 and 1 Geo. 5 :			
c. 8	Finance	S. 57 restr. ; s. 91 suspended	7, ss. 8, 16.
		Ss. 45, 66 (2) (*b*) am.	62, ss. 5, 17 (1).
		S. 20 (3) ext. ; ss. 33, 41 appl., 68, 83 (3) am. ; road improvement grant under s. 90 suspended ; Schs. IV. (Part III.), V. (Part I.) virt. am.	89, ss. 9 (3), 14, 21 (4), 43 (2), (5) (7). 49. Sch. 2, pt. 3.
c. 24	Licensing (Consolidation)	Am. temp.	84, s. 5 (1).
1 & 2 Geo. 5 :			
c. 2	Revenue	S. 14 (1) appl. ; s. 16 virt. retrospect. rep. in part.	7, ss. 12 (1) (*d*), 16.
		S. 14 (1) applied	89, s. 20 (1) (*d*).
c. 13	Parliament	Ss. 2, 7 am.	100, s. 1.
c. 18	Indian High Courts	Repealed	61, s. 130, Sch. IV.
c. 25	Government of India Act Amendment.	Repealed	61, s. 130, Sch. IV.
c. 46	Copyright	S. 15 (1) amended	38, s. 1.
c. 55	National Insurance	S. 46 temp. ext. ; s. 46 (3) (*h*) temp. am.	15, ss. 1, 2.
		Part II. amended	27, s. 1.
		S. 11 ext. ; s. 46 am.	29, ss. 2, 3.
2 & 3 Geo. 5 :			
c. 6	Government of India	Repealed	61, s. 130, Sch. IV.
c. 8	Finance	S. 2 repealed	89, ss. 18, 51 (2), Sch. V.
3 & 4 Geo. 5 :			
c. 33	Temperance (S.)	S. 7 amended	7, s. 7 (2).
c. 34	Bankruptcy and Deeds of Arrangement.	Restr. as to registration of charges.	11, s. 2 (2).
4 & 5 Geo. 5 :			
c. 10	Finance	Am. as to Income Tax	7, s. 12 (1).
		Ss. 3–6 amended, s. 6 explained	62, ss. 10, 16, 20 (1), (*c*).
		Ss. 3 (1), 7 amended	89, ss. 23, 24.
c. 14	Currency and Bank Notes	S. 2 amended	62, s. 27.
c. 29	Defence of the Realm	Repealed	8, s. 2.
c. 30	Injuries in War (Compensation).	Extended	18, s. 2.
c. 34	Police Constables (Naval and Military Service).	Am. and explained	41, s. 1.
c. 46	Milk and Dairies (S.)	Operation postponed	59, s. 1.
c. 49	Milk and Dairies	Operation postponed	59, s. 1.
		Rep. prosp. as to E.	66, s. 21 (3), Sch. IV.
c. 53	Special Constables (S.)	Amended	47, s. 1 (2).
c. 58	Criminal Justice Administration.	S. 44 amended	9, s. 1.
c. 60	War Loan	Extended	7, s. 14 (1).
		S. 1 (2) (3) appl.	55, s. 1 (2).
c. 63	Defence of the Realm (No. 2)	Repealed	8, s. 2.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 5 & 6 Geo. 5.
4 & 5 Geo. 5 :			
c. 75	Slaughter of Animals - -	Repealed - - - - -	65, s. 4 (2).
c. 76	Death Duties (Killed in War)	S. 2 extended - - -	89, s. 46.
c. 77	Intoxicating Liquor (Temporary Restriction).	Amended - - - -	7, s. 9 (1).
c. 78	Courts (Emergency Powers)	Am. as to 1. - - - -	19, s. 1.
c. 80	Police Reservists (Allowances)	Am. and explained - -	41, s. 1.
c. 84	Irish Police Constables (Naval and Military Service).	S. 1 (1) (2) appl., s. 1 (3) rep	32, s. 1 (3) (7).
c. 87	Trading with the Enemy -	Amended - - - -	12.
		Extended - - - -	98, s. 1 (3).
5 & 6 Geo. 5 :		Amended - - - -	105, ss. 1–15.
c. 7	Finance - - - - -	S. 14 (2) (3) appl. - -	55, s. 1 (2).
		Ss. 9, 13 appl. ; s. 12 (1) restr. ; s. 14 (2) ext.	62, ss. 6, 10 (2), 20, 26.
		S. 9 (1) am., s. 9 (2) restr. (*but see Terms*).	89, s. 17 (1) (3).
c. 8	Defence of the Realm (Consolidation).	Amended - - - -	34, ss. 1, 2.
		Amended - - - -	37, s. 1.
		Extended - - - -	42, s. 1.
			54.
c. 11	Government War Obligations	Ss. 1, 3, Sch. ext. - - -	96, s. 1.
c. 12	Trading with the Enemy -	S. 2 ext. ; s. 3 (1) appl. ; definition of "enemy" in ss. 6–8 ext.	79, ss. 1–3.
		Extended - - - -	98, s. 1 (3).
		Am. ; s. 5 (2) am. - -	105, ss. 1–15.
c. 23	Army (Suspension of Sentences).	S. 1 amended - - -	103, s. 1.
c. 31	Customs (War Powers) -	S. 5 (1) rep., and new sub-s. substituted ; s. 6 ext.	71, ss. 1, 2.
		Am. ; s. 5 am. ; ss. 5 (1), 6 appl.	102, ss. 1, 2, 4, 5.
c. 32	Irish Police (Naval and Military Service).	Expl., s. 1 (2) am. - -	41, s. 1 (2) (3).
c. 37	Defence of the Realm Amendment (No. 2).	S. 1 (1) (*d*) rep. and new sub-s. substituted.	54, s. 10.
c. 54	Munitions of War - -	Am., ss. 1 (2), 4 (2), 5 (3), 6, 9, 11 (1), 15 (3), (4), 20 (2), Sch. II. (*par.* 9) am. ; ss. 3, 7 am. prosp. ; s. 12 rep. and new s. substituted ; expression "workman" expl. ; definition of "munitions work" ext.	99, ss. 1–26.
c. 59	Milk and Dairies Act Postponement.	S. 1 prosp. rep. in part as to E.	66, s. 21 (3), Sch. IV.
c. 61	Government of India - -	S. 97 restr. temp. - - -	87, s. 1 (1).
c. 71	Customs (War Powers) -	Extended - - - -	98, s. 1 (3).
c. 76	Elections and Registration -	S. 3 rep. in part - - -	100, s. 2 (1).
c. 79	Trading with the Enemy -	Extended - - - -	98, s. 1 (3).
		Amended - - - -	105, ss. 1–15.

TABLE IV.

A LIST

OF

THE LOCAL AND PRIVATE ACTS,

(5 & 6 Geo. 5. 1914–16.)

ARRANGED IN CLASSES.

Class I.—Bridges, Ferries, Roads, Subways and Tunnels.
- (1) Bridges.
- (2) Ferries.
- (3) Roads.
- (4) Subways and Tunnels.

" II.—Railways, Tramroads and Tramways.
- (1) Railways.
- (2) Tramroads and Tramways.
- (3) Light Railways.

" III.—Canals, Rivers and Navigations.

" IV.—Harbours, Docks, Ports, Piers and Quays.

" V.—Local Government (including Judicial Matters, Poor Law and Public Health).

" VI.—Lighting, Power and Heating.
- (1) Gas.
- (2) Electricity.

" VII.—Water Supply.

" VIII.—Drainages and Drainage Embankments.

" IX.—Inclosures, Open Spaces, &c.
- (1) Inclosures and Allotments.
- (2) Open Spaces, Commons and Parks.

" X.—Fisheries.

" XI.—Charitable and Educational, &c., Foundations and Institutions.

CLASS XII.—ECCLESIASTICAL AFFAIRS (INCLUDING TITHES AND MARRIAGE CONFIRMATION).

„ XIII.—PERSONAL AND PRIVATE (INCLUDING ESTATES).

(1) Annuities and Grants of Money.
(2) Divorce.
(3) Estates.
(4) Names, Change of.
(5) Naturalization.
(6) Patents.
(7) Restoration of Dignities.
(8) Miscellaneous.

„ XIV.—TRADING AND OTHER COMPANIES.

(1) Banking and Investment.
(2) Cemetery.
(3) Insurance.
(4) Land and Building.
(5) Miscellaneous.

„ XV.—CROWN.

„ XVI.—PROVISIONAL ORDERS CONFIRMATION.

NOTE.—In this Table, words, printed in *italics*, following the Title, are added to explain the principal purposes of the Act; where none are added, and the Title itself conveys no explanation, the Act may be considered as one giving General Powers.

Class I.—Bridges, Ferries, Roads, Subways and Tunnels.

(1) *Bridges:*

Blyth Harbour (*Construction of bridge over River Blyth, &c.*) c. xiv.
Plymouth Corporation (*Lairy Bridge to continue vested in Corporation, &c.*). c. lxix., Part VIII.
Streatley and Goring Bridge (*Construction of bridge over River Thames*). c. xxiv.
Sunderland Corporation (Wearmouth Bridge) (*Reconstruction, &c.*). c. xlvii.

(2) *Ferries:*

Blyth Harbour (*Power to lease ferries. Tolls for goods or parcels*). c. xiv.
Nottingham Corporation (Trent Navigation Transfer) (*Power to acquire ferries*). c. lxvi.

(3) *Roads:* Nil.

(4) *Subways and Tramroads:*

[*For Act confirming Provisional Order under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (9).]

Class II.—Railways, Tramroads and Tramways.

(1) *Railways:*

Great Central (*Purchase of lands confirmed. Extensions of time. Additional second debenture stock. Subscription to Mansfield Company*). c. xii.

Great Eastern. c. xvi.

London Electric Railway Companies Facilities (*Establishment of common fund*). c. lxviii.

London, Chatham, and Dover (*Additional capital*). c. vi.

Mersey (*Amendment of Act of* 1900. *Allowances for depreciation, &c.*). c. viii.

Metropolitan District. c. xxii.

Seaforth and Sefton Junction (*Power to create guaranteed stock and pay interest out of capital. Revival of powers and extension of time, &c.*). c. xxiii.

[*For Act confirming Provisional Order under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (9).]

(2) *Tramroads and Tramways:*

Aberdare Urban District Council (*Additional tramways, railless traction, and motor omnibuses, &c.*). c. lvii.

Bristol Tramways (*Revival of powers and extension of time*). c. xxv.

Dewsbury Corporation (*Additional tramways. Running powers, &c.*). c. lxxiv.

Halifax Corporation (*Additional tramways and borrowing powers. Trolley vehicles and motor omnibuses, &c.*). c. xxvi.

Lincoln Corporation (*Power to provide and use trolley vehicles and motor omnibuses, &c.*). c. lxxvii.

London County Council (Tramways and Improvements). c. civ.

Plymouth Corporation. c. lxix., Part V.

Rhondda Urban District Council (Tramways Extensions, &c.). c. lxxi.

Rotherham Corporation (*Additional tramways and motor omnibuses. Road maintenance. Running powers, &c.*). c. lii.

Sheffield Corporation (Tramways) (*Additional tramways and borrowing powers. Motor omnibuses. Extension of time for tramways of* 1907). c. xxvii.

South Shields Corporation (*Additional tramways, &c.*). c. lxiii.

Stalybridge Hyde Mossley and Dukinfield Tramways and Electricity Board (*Additional tramways. Purchase of tramways. Working Agreements, &c.*). c. lxi.

[*For Acts confirming Provisional Orders under Private Legislation Procedure (Scotland) Act*, 1899, *and Tramways Act*, 1870, *see* Class XVI. (9), (13).]

Class III.—Canals, Rivers and Navigations.

Neath Canal Navigation (*Additional borrowing power*). c. xi.

Nottingham Corporation (Trent Navigation Transfer). (*Extension of time for works and lands. Delivery warrants, &c.*). c. lxvi.

Class IV.—Harbours, Docks, Ports, Piers and Quays.

Blyth Harbour (*Construction of bridge over River Blyth. New piers or breakwaters. Lands. Tolls, &c.*). c. xiv.
Falmouth Docks (*Capital powers*). c. xx.
Plymouth Corporation. c. lxix., Part VII., ss. 231, 232.
Port of London (*Amendment of Act* 1908 *as to election of elected members*). c. lv.
South Shields Corporation (*Extension of Mill Dam Quay*). c. lxiii.

[*For Acts confirming Provisional Orders under General Pier and Harbour Act*, 1861, *see* Class XVI. (4).]

Class V.—Local Government (including Judicial Matters, Poor Law and Public Health).

Aberdare Urban District Council. c. lvii.
Ammanford Urban District Council. c. xliv.
Ashington Urban District Council (*Additional Waterworks, &c., Supply.*) c. lxii.
Barnoldswick Urban District Council Water. c. lxv.
Bury and District Joint Water Board (*Extension of time.*) c. xvii.
Chelmsford Corporation Gas (*Transfer of undertaking of Company. Supply. Finance*). c. liii.
Dewsbury Corporation. c. lxxiv.
Doncaster Corporation. c. xv.
Eastern Valleys (Monmouthshire) Joint Sewerage Board (*Extension of time for application to Parliament for power to construct works and acquire lands. Borrowing power, &c.*) c. xlviii.
Glasgow Celluloid. c. cix.
Halifax Corporation (*Additional tramways and borrowing powers. Trolley vehicles and motor omnibuses, &c.*) c. xxvi.
Lincoln Corporation. c. lxxvii.
Liverpool Corporation (*Acquisition and leasing of lands. Additional borrowing power, &c.*). c. v.
London County Council (Celluloid, &c.) c. cviii.
London County Council (General Powers). c. ciii.
London County Council (Money). c. lxxv.
London County Council (Parks, &c.). c. lxxvi.
London County Council (Tramways and Improvements). c. civ.
Lurgan Urban District Council. c. liv.
Metropolitan Water Board (*Additional works, &c.*). c. lxxiii.
Nottingham Corporation (Trent Navigation Transfer). c. lxvi.
Plymouth Corporation. c. lxix.
Rhondda Urban District Council (Tramways Extensions, &c.). c. lxxi.
Rotherham Corporation. c. lii.
Salop County Council (Shirehall and Guildhall). c. xviii.
Sheffield Corporation (Tramways) (*Additional tramways and borrowing powers. Motor omnibuses. Extension of time for tramways of* 1907). c. xxvii.

Class V.—Local Government (including Judicial Matters, Poor Law and Public Health)—*continued.*

Skegness Urban District Council Gas (*Transfer of undertaking of Company. Supply. Finance*). c. li.
South Shields Corporation. c. lxiii.
Stalybridge Hyde Mossley and Dukinfield Tramways and Electricity Board. c. lxi.
Streatley and Goring Bridge (*Construction of Bridge. Power to County Councils to contribute, and for transfer of bridge*). c. xxiv.
Sunderland Corporation (Wearmouth Bridge) (*Reconstruction, &c. Lands. Finance*). c. xlvii.
Wolverhampton Corporation Water. c. lxiv.

[*For Acts confirming Provisional Orders under Acts relating to subjects embraced in this Class, see* Class XVI.]

Class VI.—Lighting, Power and Heating.

(1) *Gas:*

Altrincham (*Additional capital. Calorific power. Supply, &c.*). c. xlii.
Ascot District Gas and Electricity (*Additional capital. Calorific power. Profit-sharing, &c.*). c. vii.
Brighton and Hove (*Extension of limits. Directors and Auditors. Pensions to Employees, &c.*). c. xix.
Chelmsford Corporation (*Transfer of undertaking of Company. Supply. Finance*). c. liii.
Dewsbury Corporation (*Extension of limits. Calorific power, &c.*). c. lxxiv.
Doncaster Corporation (*Extension of limits. Calorific power, &c.*). c. xv.
Ilfracombe (*Calorific power. Supply. Financial provisions. Profit-sharing, &c.*). c. x.
Lincoln Corporation (*Extension of limits, &c.*). c. lxxvii.
London County Council (General Powers) (*High-pressure Gas-meters*). c. ciii.
Lurgan Urban District Council (*Transfer of undertaking of Company. Supply. Finance*). c. liv.
Northwich. c. lviii.
Ormskirk Gas and Electricity. c. xxi.
Plymouth Corporation. c. lxix., Part III., ss. 236–238.
Prescot (*Consolidation of capital. Additional capital. Calorific power. Supply, &c.*). c. xlix.
Rhondda Urban District Council (Tramways Extensions, &c.). c. lxxi., Part V.
Skegness Urban District Council (*Transfer of undertaking of Company. Supply. Finance*). c. li.
Spennymoor and Tudhoe (*Additional works, &c. Calorific power. Supply. Benefit fund, &c.*). c. l.
Warwick. c. xliii.

[*For Acts confirming Provisional Orders relating to Gas Undertakings, see* Class XVI. (3), (8), (9).]

Class VI.—Lighting, Power and Heating—*continued.*

(2) *Electricity:*

Ascot District Gas and Electricity (*Additional capital. Profit-sharing, &c.*). c. vii.
Dewsbury Corporation. c. lxxiv., Part IV.
Doncaster Corporation (*Power to lay mains in private streets. Expenses and revenue*). c. xv., ss. 119–121.
Ilfracombe Gas (*Power to supply electricity in Combe Martin, &c.*). c. x.
Lincoln Corporation (*Extension of generating station, &c.*). c. lxxvii.
Lurgan Urban District Council. c. liv., Part V.
Ormskirk Gas and Electricity (*Power to supply electricity, &c.*). c. xxi.
Plymouth Corporation. c. lxix., Part IV., ss. 236–238.
Rotherham Corporation. c. lii., Part V.
South Shields Corporation. c. lxiii., Part VI.
Stalybridge Hyde Mossley and Dukinfield Tramways and Electricity Board (*Extension of limits. Additional lands and works, &c.*). c. lxi.

[*For Acts confirming Provisional Orders under Electric Lighting Acts, see* Class XVI. (2).]

Class VII.—Water Supply.

Ammanford Urban District Council. c. xliv., Part VI.
Ashington Urban District Council (*Additional works, &c. Supply*). c. lxii.
Barnoldswick Urban District Council (*Additional works, &c. Extension of limits. Plumbism. Supply, &c.*). c. lxv.
Bury and District Joint Board (*Extension of time*). c. xvii.
Doncaster Corporation (*New service reservoir, &c.*). c. xv.
Frimley and Farnborough District (*Increased pumping powers. Additional capital, &c.*). c. xiii.
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S.	,,	,,	Scotland exclusively.
I.	,,	,,	Ireland exclusively.
U.K.	,,	,,	Great Britain and Ireland (and Colonies, if it so extend).
Ind.	,,	,,	India specially.
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